

THE PRINCIPLES OF BORSTAL TREATMENT AS APPLIED TO INDIAN PRISONERS

BY

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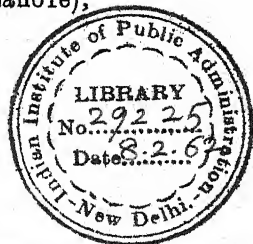
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INTRODUCTION.

THE aim of this small Manual is not so much to lay down hard-and-fast rules for the conduct of Borstal or similar institutions in India, but rather to describe or suggest general principles which may serve as a guide for their conduct, not only in the Punjab but throughout India and its dependencies.

Details will no doubt require modification according to the varying conditions in the different provinces, but it is intended that such details should be left to the option of the Inspector-General of Prisons, or the Superintendent. For instance, the winter time-table for the Punjab would be unsuited for the Madras Presidency and the diet in the former would vary greatly from, say, that of Burma.

In drawing up the Manual, the writer has freely consulted the various publications referring to the reformation of the juvenile-adult or adolescent, issued from time to time. He is also indebted to Dr. Quinton's book on "The Modern Prison Curriculum," to Lieutenant-Colonel Mulvany's report on the administration of English prisons, to Captain Finlayson's report on the Borstal system as carried out at

Borstal, Kent, and to Jailor Mithan Lal's account of the Juvenile Jail, Bareilly.

For the rest, the proposals suggested in the Manual are mainly the result of the experience gained while organising the Borstal Central Jail at Lahore, and in this he is deeply indebted to the Inspector-General of Prisons, Lieutenant-Colonel G. F. W. Braide, I.M.S., who, by his experience and ever-ready sympathy, has helped the writer greatly in avoiding pitfalls and in establishing the principles of the system.

F. A. B.

September 1914.

The revision of this Manual was undertaken on the request of the Author, now Inspector-General of Prisons, Punjab, to whom the writer's most grateful thanks are due for his helpful criticism, guidance and encouragement.

Thanks are also due to Mr. Alexander Paterson, H. M. Prison Commissioner, London, for information kindly given on the present state of Borstal Institutions in England; to Dr. Cyril Burt and Mrs. LeMesurier for the help received from their respective books "The Young Delinquent" and "Boys in Trouble";

to the Borstal Association, London, whose hand-books have been consulted and quoted ; and to Mr. P. Davis of Lahore Central Jail Press under whose supervision the final typescript and printing have been arranged.

The methods of administration and management detailed in the Manual are those which have been adopted as the result of experience extending over a period of years. The expressions of opinion are, in many cases, those of the writers and it must be understood that they are not officially those of the Local Government except where so stated.

As the Borstal Act is now in force in this Province it is trusted that the Manual will be of some help to those, such as magistrates and departmental officials, who are directly concerned with the working of the Act, and also be of interest to members of Borstal Associations and Prisoners' Aid Societies, and to other individuals who are associating themselves with the work of the training and rehabilitation of the youthful offenders of this country.

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N. B.

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CONTENTS.

	PAGE.
CHAPTER I.—Borstal Institutions: Their inception, development and present position. Definition of a Borstal Institution..	1
„ II.—Borstal Institutions in England ..	7
„ III.—The Borstal System: General considerations of Principle and Practice. Suitability for India	16
„ IV.—Classification of Inmates ..	28
„ V.—The Company System—Grades ..	34
„ VI.—Methods of Training ..	41
„ VII.—Industrial Training and the Employment of Inmates	54
„ VIII.—Offences, Punishments and Rewards ..	63
„ IX.—The Establishment	70
„ X.—Hygiene, Buildings: Clothing, Dietary, Medical and Sanitary	76
„ XI.—Investigation of cases	85
„ XII.—“After-care”	92

APPENDICES.

I.—The Punjab Borstal Act, 1926 ..	i
II.—The Punjab Borstal Rules ..	xxiii
III.—Order of Conditional Remission for Inmates of the “Star” or Jail Section	lxi
IV.—Extracts from the Associates’ Handbook issued by the Borstal Association of England.	lxv

The Principles of Borstal Treatment as applied to Indian Prisoners.

CHAPTER I.

Borstal Institutions : their inception, development and present position.

DURING the latter part of the 19th century, and the first years of the 20th, private philanthropy in England gradually provided in that country reformatories where children committed by the Magistrates before their 16th year are housed and taught. Before 1909, however, there was no separate place of detention save prison for that large and important class of young offenders, the "juvenile-adult" or "adolescent," convicted after their 15th year.

But for 15 years or so before 1909, experiments dealing with this class had been in progress. In 1895 the Paris Congress had raised the dividing line between the juvenile and the adult to 18 years of age : in the United States the maximum age for reformatory treatment was raised to 30. Startling experiments were made under the "Elmira" system in the reformation of young adults, and still more startling results were claimed.

In England, the advance was more slow, but the Prison Commissioners, under the able chairmanship of Sir Evelyn Ruggles-Brise, K.C.B., continued to make progressive experiments in the direction of reformatory treat-

ment of young offenders committed to prison before their 21st year.

The Prison Committee of 1894 had recommended "that a determined effort should be made by Government to lay hold of the incipient criminal at that age when he is too old for the treatment of the reformatory school, and still too young to be allowed to drift hopelessly down the current of crime, without a serious attempt at rescue, through a succession of short sentences in ordinary prisons."—(Mulvany).

The Commissioners began their experiments in Bedford Prison, and then allotted a wing of the Chatham Prison in Kent to a trial of the special reformatory methods which were apparently so successful in America. To these methods, which were started in England in 1902, was given the name "The Borstal System" from the village of Borstal near Chatham where the methods were tried and developed, and where at the present time, is situated the institution which has become so well-known by all those interested in Criminology especially that branch of it dealing with adolescents.

The experiments carried out during these early years demonstrated the following facts:—

- (1) The specialization and individual attention essential in dealing with young criminals cannot be obtained in ordinary prisons.

- (2) A succession of short sentences tends rather to accentuate than to arrest the habit of crime.
- (3) Little or no good can be accomplished in less than 12 months ; a sentence should not be less than 3 years, conditional liberation being freely granted.
- (4) The corner-stone of the system is a well organised after-care association.
- (5) Elaborate and costly methods are as necessary for youthful offenders as for convicts sentenced to penal servitude.

The results of these experiments were so satisfactory that in 1908 Parliament passed a most important Act, called "The Prevention of Crimes Act," which dealt with the special treatment of young offenders, and formally recognised the establishment of Borstal Institutions. "It was designed to stop the manufacture of habituels by placing youths of criminal habit or tendency in Borstal Institutions to be rescued from crime and trained in habits of Industry."—(Quinton).

This Act has established :—

- (1) A sufficient length of sentence for good influence to operate.
- (2) A power of conditional licence, by which a hold can be kept on cases after discharge.

- (3) The co-ordination and co-operation between official and non-official authority as represented by the personnel of the Borstal Association.—(Mulvany).

In England the Courts are now realising the importance and value of Borstal Training and prefer to send a lad for three years to Borstal rather than sentence him to three months' imprisonment.

As a result, the number of Borstal Institutions for lads has been increased to four; the original at Borstal near Chatham, the others at Feltham in Middlesex, Camp Hill in the Isle of Wight, and at Portland in Dorset. There is also an Institution for girls at Aylesbury.

In addition a new Institution is being built at Lowdham Grange in Nottinghamshire, where an interesting experiment, which will be discussed in the next chapter, is being carried out.

A judge of the High Court, or a Court of Quarter Sessions, may send a young offender to Borstal either on indictment, or on committal for that purpose from a magistrate's court.

In either case it must appear—

- (1) That he is between sixteen and twenty-one years of age.

- (2) That by reason of his criminal habits or tendencies, or association with persons of bad character, it is expedient that he should be subject to detention for such term and under such instruction and discipline, as appears most conducive to his reformation and the repression of crime.

From this there is no need to conclude that lads who have not been convicted before, should not be sent to Borstal, and according to a statement issued by the Borstal Association many of the lads in such institutions have not been in prison, but have either been fined or placed on probation for their previous offences.

On the other hand, a lad who apparently has exhausted all other reformatory efforts should not necessarily be likely to profit by further Borstal treatment, and there is a section in one of the large London Prisons for Borstal lads who have had their licences revoked for misbehaviour.

It is generally recognised that far too many lads are still sentenced to short periods of imprisonment, usually in default of payment of fine, but, as previously stated, courts are now realising not only the value of Borstal training, but also the importance of the authorised system of "after-care," conducted by the Borstal Association which will be discussed later.

Borstal Institutions are best defined as "State Training Schools," and the application of the system of training to the adolescent delinquent in India, especially those in the Punjab, is the subject of the succeeding chapters.

CHAPTER II.

Borstal Institutions in England.

BEFORE describing the institutions it is important to point out that all lads who receive a Borstal sentence in any part of England are nowadays collected in a special section of one of the large prisons in London. Here they are kept quite separate from other prisoners and subjected to a very close physical and psychological examination.

In accordance with this they are classified and sent to the Institution which appears to be most appropriate to their case, and in this way lads who have recently lapsed into crime are not mixed up with those who have been young thieves since childhood.

There is an Institution at Feltham in Middlesex :

✓ This receives those who are slightly physically defective, or bordering on being mentally defective. The best type of lad is also sent to this Institution, presumably because of his good influence and help in the training of those who are less fortunate in their physique and mental capacity.

A second, the original dating back to 1908, is at Borstal near Chatham in Kent, and receives lads who have graduated a stage further in crime; another at Camp Hill in the Isle of Wight is for those who are worse than those sent to Borstal, and there is one at Portland in Dorset for the worst type of all.

This year one hundred or so lads have been in camp at Lowdham Grange in Nottinghamshire, where they are engaged in building a new institution, and are paid a small wage for their work.

Here a new scheme is being tried, and the lads are specially selected as more likely to profit by a year in camp than by two years in a Borstal Institution. They live in camp with no walls, fences or sentries at night, and are trusted to the extent that a small number of them are allowed to go into the town each week and spend their Saturday evening as they wish, without any guard.

It is interesting to note here that the number sentenced to Borstal in 1911 was four hundred and thirty-six, whereas in October 1930 the population of Borstal Institutions for lads was eleven hundred and forty-four.

In their report for 1925 the Borstal Association points out that nearly all the lads and girls in these Institutions have been convicted more than once before reception, in some cases three or four times.

They have probably been placed on probation, fined, imprisoned, or sent to reformatory schools, and in many cases all these methods have been tried.

The Association refers to the admirable work done by probation officers and the staff of the reformatory schools, and state that many who, in spite of this, find their way into Borstal Institutions are mentally tainted or

weak-minded, and so ignorant of the ordinary facts of life that it is almost impossible to apply to them the recognised mental tests. Nearly all of them are seriously below the standard of the physique of their age and class. On this account the Prison Commissioners ask the courts to sentence them to the maximum sentence of three years' treatment. They say that to sentence a lad or girl to only two years' treatment is in effect unkind, for whilst any lad may be licensed to freedom after six months, and any girl after three months, the average period of training needed by those who are well behaved and industrious has been found to be about two years : and lads and girls, who are sent for the bare two years, labour under a sense of injustice because they have to serve their full sentence in the Institution, whilst those who have been sentenced to three years earn a remission of the third year by progress and conduct.

Special attention is therefore drawn to the above remarks, as the futility of awarding such sentences as "Six months' simple imprisonment" so often done in India, is fully emphasised.

Period of detention.—The minimum period awarded is two years and the maximum three.

The Prison Commissioners may at any time after the expiration of six months, or in the case of females three months, from the commencement of the term of detention, if satisfied that the offender will abstain from crime and lead

a useful and industrious life, by license permit him to be discharged from the Borstal Institution on condition that he be placed under the supervision and authority of any society or person named in the licence who may be willing to take charge of the case. Such discharges on licence are recommended by the visiting committee on the recommendation of the house-master and governor.

Absence on parole is allowed in the winter for about 20 lads of the Institution near Rochester to attend the technical school in Rochester for industrial work in the evening. There was one escape in three years.

Similarly absence on parole is commonly granted to visit a dying relation.

Organisation.—The Institutions are all run on much the same lines, and are divided into houses, each with its house-master, and its staff, an arrangement which enables close individual touch and promotes competition.

Grades.—Regulations made by the Secretary of State under section 4 (2) of the Prevention of Crime Act, 1908, provide for a system of grades proceeding from the ordinary to the special grades where promotion is justified by industry and good conduct. Failing that, inmates may be degraded or forfeit any privileges of their grade, or be reduced to the penal class. There is an ascending scale of privileges enjoyed by inmates as they pass from one grade to another.

At the Institution at Borstal there are the three grades—Brown, Blue and Monitor. The last two named enjoy special privileges, among which are gratuities, outings to camp, freedom to go about the Institution on their own, and visits by the parents on sports day.

Promotion is given by the house-masters chiefly according to general behaviour.

The inmates are given hard work on the land, usually for the first three months, and then go on to the trades section after they have been hardened.

The factories are expected to recover the cost of raw material only, and it is fully realised that they are run solely for purposes of training and not as profit making concerns.

The day's programme.—As will be seen from the programme outlined below the inmates are kept fully occupied :—

5-40 A. M.	..	Called up.
6-15 A. M.	..	Physical Training.
6-45 A. M.	..	Breakfast.
7-30 A. M.	..	Chapel.
8 A. M.—12 NOON	..	Work on the farm or in the factories.
12 NOON—1 P. M.	..	Dinner.
1 P. M.—5 P. M.	..	Work.
6 P. M.—7-45 P. M.	..	School and reading or bathing followed by gymnasium and reading.
7-45 P. M.—8-15 P. M.		Recreation.
8-15 P. M.	..	Supper.
8-30 P. M.	..	Juniors to bed.
9-30 P. M.	..	Seniors to bed.

Games are allowed on Sunday afternoons, and inmates of the special grades are allowed walks in the surrounding country.

School.—Classes are held in the evening by voluntary teachers from outside, or by members of the staff who are then paid an allowance for “Over-time.”

Recreation, etc.—The gates of the Institution are left open by day but only the special grades are allowed to move about the grounds without being accompanied by an officer. Gymnasium and games are a great feature of the Institution life; the lads are dressed in modified football kit coloured according to the grades. The inmates are trained to be smart and quick and all movements about the grounds are at “quick-march.” An allowance of £100 a year is given for sports and games.

Library.—Each Institution has a well-stocked library for which there is an allowance of 1s. 6d. a year for each inmate.

Holidays.—In the summer those who have earned promotion to the special grade are taken to a seaside camp for a few days.

Punishments.—These are naturally avoided as much as possible.

The following are however resorted to where necessary :—

- ✓ (a) Warning.
- ✓ (b) Stoppage of privileges.

- (c) Penal section involving the taking away of the privilege of association, and the task of stone-breaking.
- (d) Dietary punishments.
- (e) Corporal punishment in cases of assault or other serious offences.
- (f) Transfer to a prison for a definite period of three months.
- (g) Alteration of sentence to imprisonment.

Cost.—The following 1930 figures show the amount expended on Borstal lads compared with that expended on prisoners in jails.

		<i>Average annual charge per head.</i>			<i>Net an- nual average charges.</i>		
		£	s.	d.	£.	s.	d.
Local Prison ..	..	74	19	0	44	8	9
Convict Prison (men) ..	..	100	12	9	65	12	7
Borstal (boys) ..	..	96	5	1	58	1	4

“Net Annual average charges” omits new buildings and maintenance of prisoners otherwise than in prison from expenditure and deducts from the total expenditure the value of labour and incidental receipts.

After-care.—As mentioned in Chapter I, the corner stone of the Borstal System is the authorized system of “After-care” which in England is conducted by the Borstal Association, to which should go 50 per cent. of credit for successes.

The Association is a private body of well-wishers which was founded originally for the purpose of taking charge of lads on their discharge from Borstal Institutions.

The Staff Expenses of the Association are met by a Government grant, so that all subscriptions go directly to help the lads cared for by the Association, and for every pound voluntarily subscribed the Government gives a grant of £2. Payments made on behalf of cases amount to about £2,500 a year, these include cost of board, lodging, outfit, railway fares and other miscellaneous expenses, and the total expenses of the Association including wages for salaried officials amounts to about £7,000 a year.

In summarising below the work of this wonderful organisation, a very brief account is given, but further particulars can always be obtained from the reports which are published annually.

Preliminary.—Nowadays the Association takes an interest in the lad long before his discharge from an Institution.

The work starts not only with a visit to the lad sentenced, but also to the lad's home when a detailed report is made on its condition and surroundings, on the lad's habits, and mental and physical characteristics.

This report helps to decide to which Institution the lad should be sent, and what will be the most suitable form of after-treatment.

Institutional.—Associates see all lads on admission to Borstal Institutions and explain the purposes of the Borstal System of training, the aims of the Association and their readiness to help in any domestic concerns which may trouble them whilst they are still in the Institution.

They visit every Institution at least once in every month and see all lads who are near the date of their discharge and after conference with their officers, make arrangements for their reception on release and if possible for their employment, and for the provision of working clothes and tools. They also see at these visits any lad who cares to see them on any private affairs and on the request of the authorities help in the settlement of any home difficulties which cause worry and anxiety to an Inmate.

After-care.—The Association makes all arrangements for the reception of lads on their discharge. They receive them all at the London Office, and forward country lads to their homes with introductions to the local Associates with whom arrangements have already been made for their reception. If a lad has no home, suitable decent lodgings are found. In cases where immediate employment cannot be found they are helped with funds.

A lad released on licence is required to obey the instructions of the Association and to lead a sober and industrious life to the satisfaction of the Associate in whose District he arrives, and under whose supervision and guidance he is encouraged and helped to become a better and more useful citizen.

CHAPTER III.

The Borstal System.

GENERAL CONSIDERATIONS OF PRINCIPLE AND PRACTICE. SUITABILITY FOR INDIA.

In the previous chapters a short description has been given of the origin and management of Borstal Institutions in England.

In the report of Borstal for 1912, Borstal Institutions are described as being "the dustmen of the state;" that is to say, they receive that for which Society has no use. The report goes on to say—"A part of what they receive cannot be made of use; the weak-minded, the born-tired off-spring of the unfit, the vicious and the furious tempered, cannot be found an enduring space in the open. Another part has got into the Institutions as it were by accident through the fault of others, and may readily be restored to honourable uses. The largest part is dingy with misuse or broken or deteriorated by neglect, but it can be dusted and repaired into something merchantable, and that is the work of Borstal Institutions."

In the following year's report we read "Great are the difficulties of those who have to attempt the physical and moral reconstruction of boys whose souls have become dingy, their muscles slack, and their outlook on life blurred."

And yet it should be the aim of those in charge of these Institutions, both in England

and India, to change an illiterate, ill-developed youth, with little or no moral character and probably no means of livelihood, into a fairly intellectual man with an upright and well-knit frame, sufficient knowledge of a useful trade to enable him to earn his living honestly, and with habits of self-control, temperance, and obedience to his superiors and the law.

If we trace habitual crime back to its source, either in England or in India, we usually find that source to be juvenile depravity. This is emphasised in the report of the Borstal Association for 1928 when they point out that of the five hundred and thirteen lads discharged in 1927, only one hundred and fifty-two came from apparently decent homes with a normal complement of parents; thirty were orphans; forty-one had parents who were separated, and thirty-eight had no homes at all.

Therefore if we wish to devise some national scheme for the reformation of criminal character we must bring to bear upon it those influences which are known to have the best effect on the young. And of these, religious and moral influences must always take the first place.

“Through these alone” as Quinton remarks, “can be acquired that moral sense which is wanting in persons of criminal habits, and is nevertheless a fundamental requisite for mankind in every relation of life.

It is perhaps conceivable that a criminal may be reclaimed by fear of punishment or by motives of expediency; but he cannot be genuinely reformed without an awakening of conscience, or without the acquisition of some degree of moral sense. As the latter kind of conversion is the best cure, being radical in its conception and permanent in its operation, it is the ideal objective in a sound system of criminal therapeutics."

The first aim therefore in carrying out the principles of the Borstal System must be to alter the moral view of life of the young offender, and this means that every member of the staff, from the highest to the lowest, should be carefully selected and be the best that can possibly be obtained; and further that he must like and be interested in the work.

Next in importance is the formation of a habit of hard work. In Indian prisons the lot of the prisoner is often better than when he is free, as he has no anxiety about his food or clothing, he is sure of a roof over his head, and of care and attention when he is sick. Unless an offender in the Borstal Institutions is taught to work hard for the same number of hours daily as he will have to work when released, the time and money spent on his training may be entirely thrown away. Therefore in addition to the moral and intellectual training we must supplement measures for promoting the habit of hard work.

If we accept the definition of a Borstal Institution as a "State Training School" we can sum up by saying that the training must be moral, educational and mental, physical, and industrial.

This training* can be used as a preventive as well as a curative measure and attention is therefore drawn to paragraph (b) in the resolutions which were unanimously adopted by the Prison Congress of 1910 and detailed below :—

(a) The essential principles on which the modern reformatory is based are—

(1) That no prisoner, no matter what his age or past record, should be assumed to be incapable of improvement.

(2) The conviction that it is in the public interest to impose a sentence which shall be not only retributive and deterrent, but also to make an earnest effort for the reformation of the criminal.

(3) That this reformation is most likely to be accomplished by religious and moral instruction, mental quickening, phy-

sical development, and such employment as will place the prisoner on a good industrial basis.

(4) That the reformation system* is incompatible with short sentences, and a relatively long period of reformatory treatment is more likely to be beneficial than repeated short terms of imprisonment under severer conditions. —

(5) That reformatory treatment should be combined with a system of liberation on parole under suitable guardianship and supervision on the advice of a suitable Board.

(b) It is strongly to be desired that a system of special treatment be adopted for adolescent criminals whether recidivists or not.

(c) Tribunals should be able to sentence to special treatment which—

(1) should be of a sufficiently long period to permit of the full application of all possible means of reformation.

- (2) shall admit the right of conditional liberation as mentioned above.

The above authoritative statement, drawn up by a body of experts, gives in a succinct form the principles of the Borstal System ; it has served as a guide in the development of the system in England ; it may well serve as a guide for all those connected with criminology in India. It is just as important that all judicial officers should be thoroughly conversant with the principles of the Borstal System, while the Police Department and influential Indian gentlemen should also study it with care.

Length of sentence.—For the judicial officer one of the most important principles to assimilate is undoubtedly that mentioned in paragraph (a) (4) above.

The Prison Commissioners in their report for 1913 state—" We have on many occasions during recent years called attention to the futility and harmfulness of repeated short sentences especially in the case of young offenders. The almost unanimous voice that comes to us from prisons, be it of official or voluntary workers, call for legislative remedy. Our concern is more especially with the thousands of young persons who are now graduating to the later stage of incurable recidivism under the futile system of recommitment for petty offences."

As in 1913 so again in their report for 1929 the Commissioners submit that while the

decline in the number of imprisonments of young persons continues, courts still appear to send to prison many youths and girls who might either be dealt with under the Probation of Offenders Act, or else committed to a Borstal Institution.

Age of sentence.—The younger he is the more promising are the chances of his ultimate reform. In their report for 1928 the Borstal Association point out that many courts defer sending lads to a Borstal Institution until they have several times been convicted, with long periods of unemployment and dishonest habits between the convictions. They gave the following figures which emphasise the importance of Institutional treatment at an earlier stage—

- (a) of lads whose period at Borstal was their first experience of Institutional treatment, over 71 per cent. have become satisfactory.
- (b) of those who had been sent to prison before Borstal only 55 per cent. have become satisfactory.
- (c) of those who had been sent both to a reformatory and prison before Borstal, less than 49 per cent. made good.

In India even after Probational treatment has been provided for, under a Probation of Offenders Act, there will be large numbers of casual adolescent offenders destined for imprisonment or Institutional treatment, and it is

therefore highly desirable that contamination should be avoided and that as many as possible should be given the benefit of this system of training.

In 1931 Mr. Justice McCardie in opening Birmingham assizes said "I think it is my duty to state clearly for the knowledge of all, that the serious crime of the country is greater to-day than at any time during the last sixty years. It is quite true that the number of prisoners grows steadily less but the number of crimes actually committed grows greater.

"I think the statistics of crime are grave" the Judge continued, "for example, in 1929 the number of indictable offences known to the Police was 134,581, an increase of more than 4,000. In my view very many criminals are more ingenious and more astute than those of a generation ago."

If this is the case in England, it is or will become the case in India.

There can be no doubt that the Borstal System is just as well suited to Indian as to European cases. The Indian youth is as amenable to its reformatory measures as any young criminal in England, and it is very desirable that the thousands of youthful casual offenders should be given the benefit of the system of training as far as possible.

In England, as has already been stated, the decision whether or no a young offender is to go to a Borstal Institution is left to the higher court.

The latter must satisfy itself that such a procedure "is expedient by reason of the offender's criminal habits or tendencies, or his association with persons of bad character; and that his health and mental condition, and other circumstances of the case as presented by the Prison Commissioners in their report at the trial are such that he is likely to profit by the instruction and discipline of the Borstal Institution."

Now in India, there are hundreds of youthful offenders, habitual or otherwise, who come under the same category, but there are thousands of casual offenders for whom the system of training is of great value during the long period of imprisonment, necessitated by the seriousness of the offences committed.

Treatment may therefore be considered on the following lines .—

1. Non-Institutional.—Fines, whipping, security for good behaviour, and probation.

2. Institutional.—(a) Homes for those who are mentally or physically defective.

(b) Certified Industrial Schools—

(1) for offenders under the age of twelve.

(2) for offenders who are twelve years of age but less than sixteen.

(c) Borstal Institutions or State Training Schools of which there will be two types or sections :—

✓(1) The "Star" or Casual Section for those casual offenders who are

between the age of sixteen and twenty-one and whose offence necessitate a sentence of imprisonment or detention, and yet who do not come within the scope of the Borstal Act.

- (2) "The Borstal Section" for those offenders who are detained under the Borstal Act, and whose Institutional treatment will be followed by "after-care" under the supervision of an authorised individual or Association.

Legislation in Madras and other provinces has provided for the establishment of certified industrial schools for offenders under the age of sixteen, but in the Punjab, those under the age of fifteen and otherwise eligible, are sent to the Reformatory in Delhi, or pass the period of imprisonment awarded in either the "Star" or "Borstal" Section of the Lahore Institution.

As a rule, Borstal Acts lay down that Borstal Institutions are reserved for those offenders who are sixteen years of age and not more than twenty-one years of age, but the Punjab Borstal Act, 1926, refers to "any male less than 21 years of age."

The appointment of probation officers to supervise those offenders who do not require segregation and Institutional treatment is desirable, and for this legislation is necessary in the form of a Probation of Offenders Act,

according to which the offender is released by the court subject to conditions of good behaviour during a specified period. If there is misbehaviour the offender is recalled and the court inflicts the penalty of the law.

The housing and care of mental defectives is another urgent problem, and in England the Mental Deficiency Act provides that in the case of any person found by a competent court to have committed an offence punishable by penal servitude or imprisonment, or of a child found liable to be sent to an industrial school under section 58 of the Children Act, the court may, if satisfied on medical evidence, postpone sentence and direct that proceedings be taken under the Mental Deficiency Act, or may itself make such an order as could be made by a judicial authority under that Act, if there is a suitable guardian or institution available and ready to receive the subject.

Before closing this chapter, attention is drawn to the importance of preventing the contamination of youthful offenders from the moment they are arrested. It is useless to arrange for segregation, special training and reformatory treatment after conviction if the subjects are given a thorough training in the art of crime during the period they are undergoing their trial.

Day after day, one can see two or three adolescent and juvenile offenders being chained up to adult prisoners, and being taken to the court in the same prison van or being trans-

ferred by the same train. If these young offenders cannot be allowed their liberty until their cases are decided, it is imperative that they should be kept entirely separate from adults at all times throughout the proceedings.

Remand Homes.—In England and Madras, Remand Homes are provided for juveniles under the Children Act, but in the writer's opinion it is not only necessary to provide Remand Homes for those under sixteen, but also for adolescents at any rate under the age of eighteen. An enclosure outside the jail is required, and the building provided should be planned so as to allow cubicle accommodation for each inmate.

Police Escorts.—As pointed out above juveniles and adolescents should not be transferred, or taken to the courts in company with adults. The escorts provided should consist of constables specially selected for their trustworthiness and good moral character.

Courts.—Provision should be made for the establishment in each district of one or more separate courts for the hearing of charges against children and adolescents.

In this Manual we are concerned with what we have suggested should be called the "Star" and "Borstal" Sections of Borstal Institutions or State Training Schools, and in the next chapters an account is given of the system of training, organisation and management which has been evolved, and which is now used in the Institution at Lahore.

CHAPTER IV.

Classification of Inmates on admission.

In 1910 the Punjab Government passed orders that all male offenders between the ages of sixteen to twenty-one years sentenced to four months' imprisonment and over should be concentrated in the buildings which up to then had been in use as the Lahore District Jail. It was further decided in 1915 that all male juvenile offenders sentenced to three months and over, should also be collected in the same buildings.

All such offenders, therefore, whether "Habitual" or "Casual" with the exception of a certain number of juveniles which were sent to the Reformatory under the Reformatory Act, were admitted to this Jail which became known as the Borstal Central Jail.

Borstal methods of industrial, physical, and educational training were introduced. "Conditional Release" was allowed for well behaved inmates, and the name Borstal Institution gradually came into use.

In those days, therefore, the most important point to consider in the classification of inmates, usually over fifteen hundred in number, was the prevention of contamination, and the separation of "Habituals" from "Casuals."

Now-a-days, separate sections are provided, known as the "Adolescent Jail Section" and the "Borstal Section."

The " Adolescent Jail Section " which it is suggested might be better known as the " Star Section, " is for the reception of casual offenders, and the " Borstal Section " is for the reception of " Habituals " or those who in the future will be detained under the Borstal Act of 1926.

Unless industrial schools are established for those youthful offenders under sixteen years of age, the " Star Section " will have a varied population of casual offenders convicted under the age of twenty-one, and their classification on admission should be made according to three main considerations :—

- (1) Apparent age, taking into account physical development.
- (2) Length of sentence.
- (3) Nature of offence.

From experience it has been found most satisfactory to consider age and physical development in the first place, and accordingly all admitted are separated into three main groups :—

- (a) The Juvenile Group for those under fifteen years of age.
- (b) The " Border Line " Group, for those of fifteen years and over who are yet not sufficiently developed to look after themselves, when mixed with adolescents.
- (c) The " Adolescent " Group for those who have definitely passed the

age of puberty, and are sufficiently developed to look after themselves.

The above preliminary classification followed by the arrangement of accommodation, and allotment to companies (see Chapter V) has, in practice, proved most satisfactory, and this should be applied in any Institution where large numbers of lads of varying ages are collected.

As a result it will be found that unnatural offences and serious assaults are considerably reduced in number.

Careful watch should be kept on the growth and development of the lads in the junior groups, and transfer from group to group should be arranged when recommended by the medical officer, for in India definite dates of birth can seldom be ascertained, and it is well known that the tendency is always for lads purposely to state their ages higher than they really are.

Now we come to the second important point to be considered, namely, length of sentence.

This is important as regards attendance at school, allotment of labour, eligibility for promotion in the grades and safe custody.

Owing to lack of staff in the Institution at Lahore it had to be decided that those with sentences under two years should not attend

the school, but should be employed chiefly on maintenance duties, building repairs, vegetable garden work, etc., all involving hard labour.

Those with sentences of over two years and under three years, attend the school each day, and are employed on some easily learnt trade ; later, when eligible they are promoted to Inmate Official rank for employment on guard duties.

Those with over three years' sentences come under the grade system and are taught a skilled trade. According to their progress, they qualify for promotion in the grades, and finally for conditional release if employment in the trade which they have learnt can be found for them.

The third point to consider is the nature of the offence. This is important in the case of those sentenced for unnatural offences, and there are, at any rate in the Punjab Institution, a large number of these, mostly sent from the North-West Frontier Province. After allotment according to age has been considered, it has been found advisable to collect together all those guilty of unnatural offences.

In a subsequent chapter reference will be made to the formation of companies, and allotment thereto according to the points considered above.

Before concluding this chapter it is important to mention that inmates who are mentally backward or physically defective should be specially catered for.

These should always be given cellular accommodation in a special compound, where they can remain, doing some light but useful work, such as caning chairs, or making chicks. An Instructor should be detailed to visit them regularly, giving individual care and attention. If possible one of the school masters should give at least an hour's elementary instruction daily.

In this way the lives of those defective mentally or physically are not made miserable by the sneers and taunts of those who are strong and fit. Pending the provision of special homes or schools, this is the best that can be done.

It may be of interest to note here that inmates of this type are those who are frequently involved in serious assault cases, and are the ones who attempt to commit suicide or to escape. The individual attention suggested above very often prevents serious trouble later.

Finally, we must touch upon the question of those who reach the age of over 21 years before they are due for release. Most of these will be found in the "Star Section."

In England it is considered inadvisable to transfer Inmates to ordinary Jails, as long as they behave well, and this applies equally in India.

In the Punjab many from the "Star Section" are eligible for release under the Good Conduct Prisoners' Probational Release Act

and they are sent out to work on the farm provided for them under the Act. (See also Appendix III—Conditional Remission).

Until such disposal is possible it is desirable to keep them in the Institution and employ them on some special work, such as assistant teacher in the carpentry or other shops, combined with duties as assistant drill instructor or assistant school master. In this way they are kept busy and are given a feeling of responsibility and leadership.

Only on one occasion in the writer's experience did a youth fail to respond to the above mentioned treatment and one might say that this was the exception which proves the rule.

As regards the " Borstal Section " the Punjab Borstal Rules lay down that a section will be provided for " post-adolescents," but it matters little what arrangements are made, provided they are not transferred to ordinary Jails.

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CHAPTER V.

The Company System—Grades.

As has been pointed out in Chapter II, Borstal Institutions in England are divided into "Houses" which are again sub-divided into groups.

In the "Borstal Book" it says that "so long as lads are massed together in Battalions 200 strong they must be treated as a crowd, addressed in the voice of a Serjeant-Major, and do everything to the note of a bugle. Once divided into 'Houses' and 'Groups' other methods apply. Corporate pride is felt, and a great natural force is brought into play."

Under present conditions in India, division into companies and groups is more practical than the "House" system; for one reason the buildings cannot be aptly known as "Houses," and for another the Assistant Superintendents do not "live in" like the house-masters of the Institutions in England.

This division into companies and groups is arranged in both sections of the Institution at Lahore, and the system can easily be adopted in any Institution whether it be a Reformatory, School or Borstal.

The Lahore buildings are situated in compounds or "Circles" and accordingly inmates occupying barracks in compound No. 1 become members of one company, those in compound No. 2 of another company, and so on. Inmates are allotted to these companies according to the classifications laid down in the

previous chapter, and the companies each have a distinguishing colour ; for instance the juveniles are all allotted to the " White Company " and accommodated in a certain compound ; those inmates convicted of unnatural offences are allotted to the " Blue Company " and those convicted of serious offences with long sentences are allotted to the " Red Company. " In the Institution at Lahore there are six compounds, but the number may vary to suit the population provided the classification referred to previously is not interfered with.

Each of these companies has a company leader who is selected by the Superintendent with the help of the Assistant Superintendent in charge.

Selection is made from amongst those inmates who have reached the monitor grade. (See below).

In selecting such company leaders special attention is paid to the Institutional record of an inmate's behaviour, and conduct generally, but it is also highly desirable to take into account behaviour towards others.

As a rule the Assistant Superintendent will be able to give advice on this matter as he will probably have noticed whether a monitor is inclined to be rather a bully, whether he is helpful or not in the training of other inmates, and especially whether he takes an interest in guiding those newly admitted into the company.

When there is such a large population as in Lahore (1,000—1,500) companies have to be further sub-divided and this is done by sub-dividing according to "barracks" and again "groups."

Inmates occupying the ground floor rooms or cells become members of the "Right Group" and those of the upper floor become members of the "Left Group." Barrack and group leaders are appointed from amongst the star grade and special grade inmates.

Finally an Institution leader is elected by vote of the members of the superior staff. All the company leaders are eligible for this position, and at a recent election an inmate was selected who had been under detention for over ten years, and had not been punished once.

The above described method of sub-dividing a large unwieldy population has proved most suitable in practice. Not only is it useful in inculcating the team spirit but also in the organization of sports, parades, etc. All routine work, too, can be done by groups, barracks or companies.

In smaller Institutions three sub-divisions will not be necessary, but sub-divisions down to twenty-five are essential if the whole object is not to be defeated.

Companies are, as far as possible, kept up to strength by the allotment to them of fresh arrivals, but the principles laid down in the Chapter on classification of inmates on

admission, are always adhered to ; for instance, those under fifteen are invariably allotted to the white company, those sentenced for unnatural offences to the blue company, and so on.

Company compounds are distinguished by large wooden shields, painted in appropriate colours, over each entrance.

If a company distinguishes itself, *e.g.*, by winning the championship at the annual sports, a note to that effect is painted on the shield, giving the year of such success, name of the Assistant Superintendent in charge at the time, and the name of the company leader.

Members of each of the companies are distinguished by coloured pugreese and coloured bands on the tops of their knitted stockings, and each company has a supply of suitably coloured shirts for football matches and other games.

According to the method adopted in England a system of grades is arranged to encourage progress generally. Rules for promotion to these grades must vary according to conditions, and must be altered especially to suit the shorter period of detention in the Borstal section.

However, we give below a copy of the Rules laid down as suitable for the "Star Section."

These may be amended to suit inmates of the Borstal section, where the maximum period of detention is usually three years.

1. SPECIAL GRADE.—By promotion from ordinary grade (sentence not less than 3 years).

Provided that—

- (1) he has completed one-third of his sentence ;
- (2) he is well behaved and of good character ;
- (3) he has passed in drill ;
- (4) he has studied up to the second class in education ;
- (5) he is a good worker at a trade but not necessarily skilled.

2. STAR GRADE.—By promotion from special grade.

Provided that—

- (1) he has passed at least 6 months in special grade ;
- (2) he can take charge of a company for drill (50 boys) or has passed in tender foot scout tests (see Chapter VI) ;
- (3) he has studied up to the third primary class in education ;
- (4) he is skilled in a trade and can work independently.

3. MONITOR GRADE.—By promotion from star grade.

Provided that—

- (1) He has passed one-half of his sentence ;

- (2) he can take charge of 200 boys for instruction in drill, or has passed in 2nd class scout tests (see Chapter VI) ;
- (3) he has studied up to the fourth primary Class in education ;
- (4) he can write letters ;
- (5) he is expert in a trade and can impart elementary instruction to other inmates.

Such rules should be printed in English and the vernacular and brought to the notice of all by hanging copies in conspicuous places in all buildings. All inmates on admission are placed in the ordinary grade, and later qualify for promotion to special, star and monitor grades.

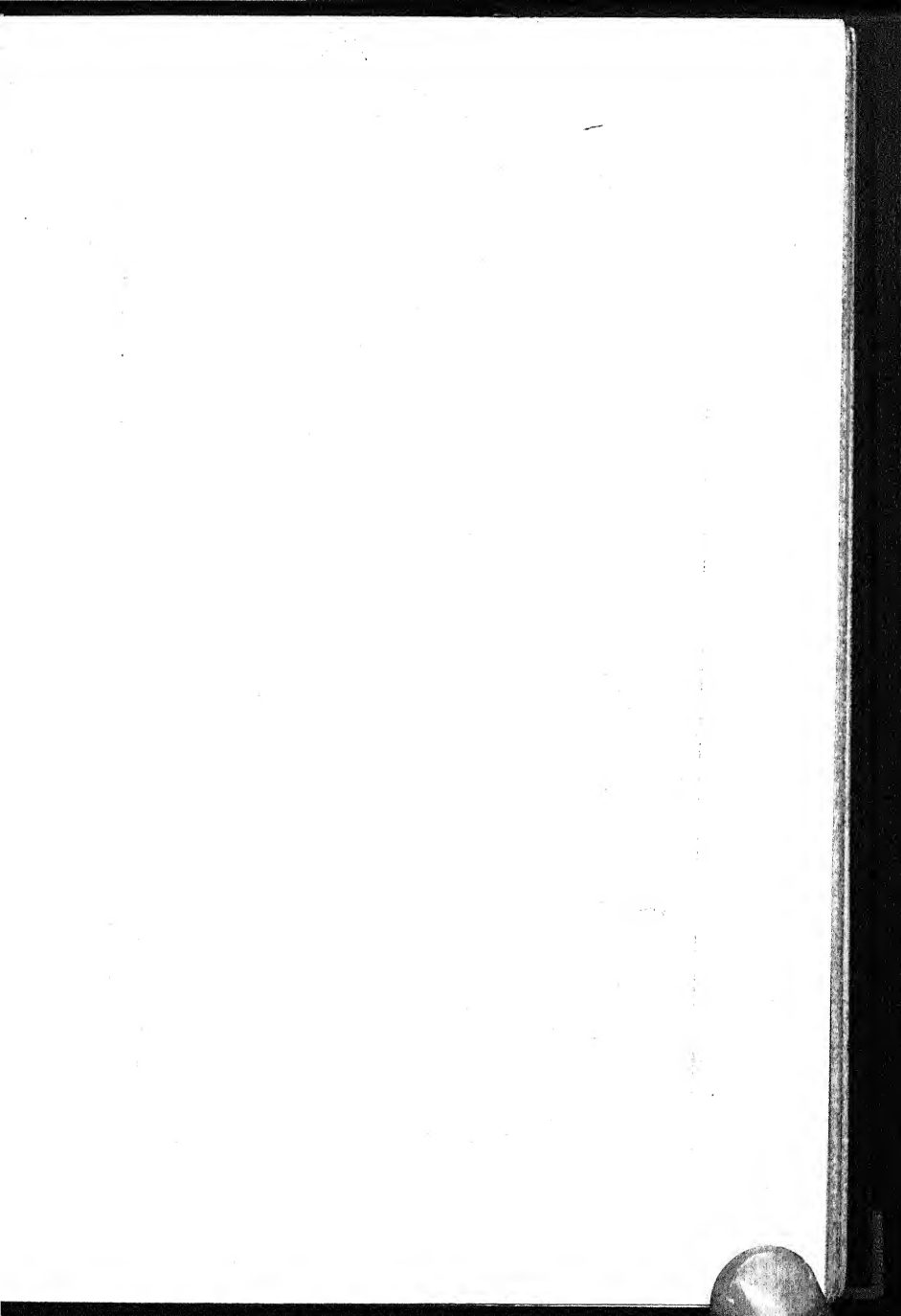
Reduction to the penal grade is a severe form of punishment and will be dealt with later.

Finlayson, who had had considerable experience, recommended the following regulation: "Inmates shall be eligible for the special grade when they have earned remission representing not less than one-eighth of their sentence, but shall not be promoted to it unless the Superintendent is satisfied that they deserve it, and they shall not be retained in it, should it be considered necessary to remove them for any good reason." He also recommended that in addition to the distinctive marks of their grade, special grade adolescents should be allowed to wear a good conduct badge for every three months passed in that grade, and

that for every such badge they should be allowed a small money gratuity, which may be devoted to the purchase of certain articles such as shoes, or be reserved to be handed to them on release. The first good conduct badge should entitle him to a gratuity of one rupee, the second and subsequent badges to 8 annas, for each badge."

Under the present arrangement the special grade, are distinguished by wearing one stripe on their left arm, the star grade two stripes, and the monitor grade three stripes. Star and monitor grades are allowed to wear a leather belt.

This system of grades is to encourage good work and progress and minimise the necessity of punishment for bad behaviour, and an account of the privileges attached to each grade is therefore given in the Chapter on rewards and punishments.



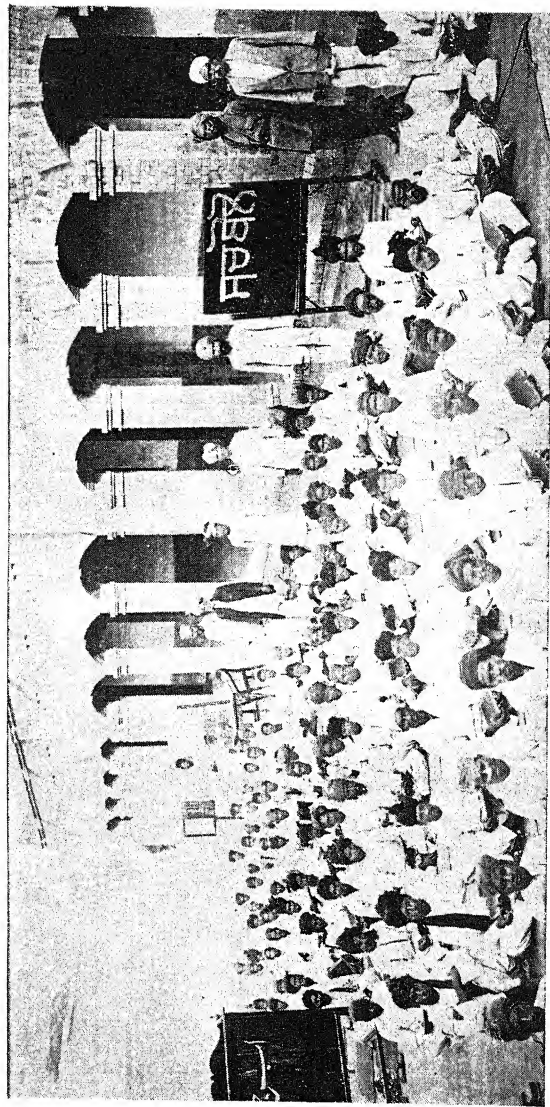


Photo by Patel and Sons,
Educational Pictures Corporation, Karachi.

Open air school classes.
Borstal Institution, Lahore.

CHAPTER VI.

Methods of Training.

Some mention has already been made in the chapter on the Borstal System of the methods employed in the reformatory training of adolescents.

It has been shown that moral and scholastic training and technical instruction supplemented by measures for promoting the physical efficiency of those detained, are the essential components of the system, and all persons undergoing a sentence of detention should be subjected to such disciplinary and reformative influences and be employed on such work as may best be fitted to make them able and willing to earn an honest livelihood on discharge.

The Late Bishop of Lahore, Dr. H. B. Durrant, once wisely said, "Sin cannot be driven out; it must be crowded out," and the old proverb, that the devil finds work for idle hands to do, is as true now as ever it was. Borstal administrators realise the fact, and the training is therefore designed so to fill each moment of the inmate's working hours that no space is left for nefarious activities whether of mind or body.

It is conducted on several distinct lines which may be described under four heads:—

- (a) Educational and Mental,
- (b) Physical,
- (c) Moral, and
- (d) Industrial.

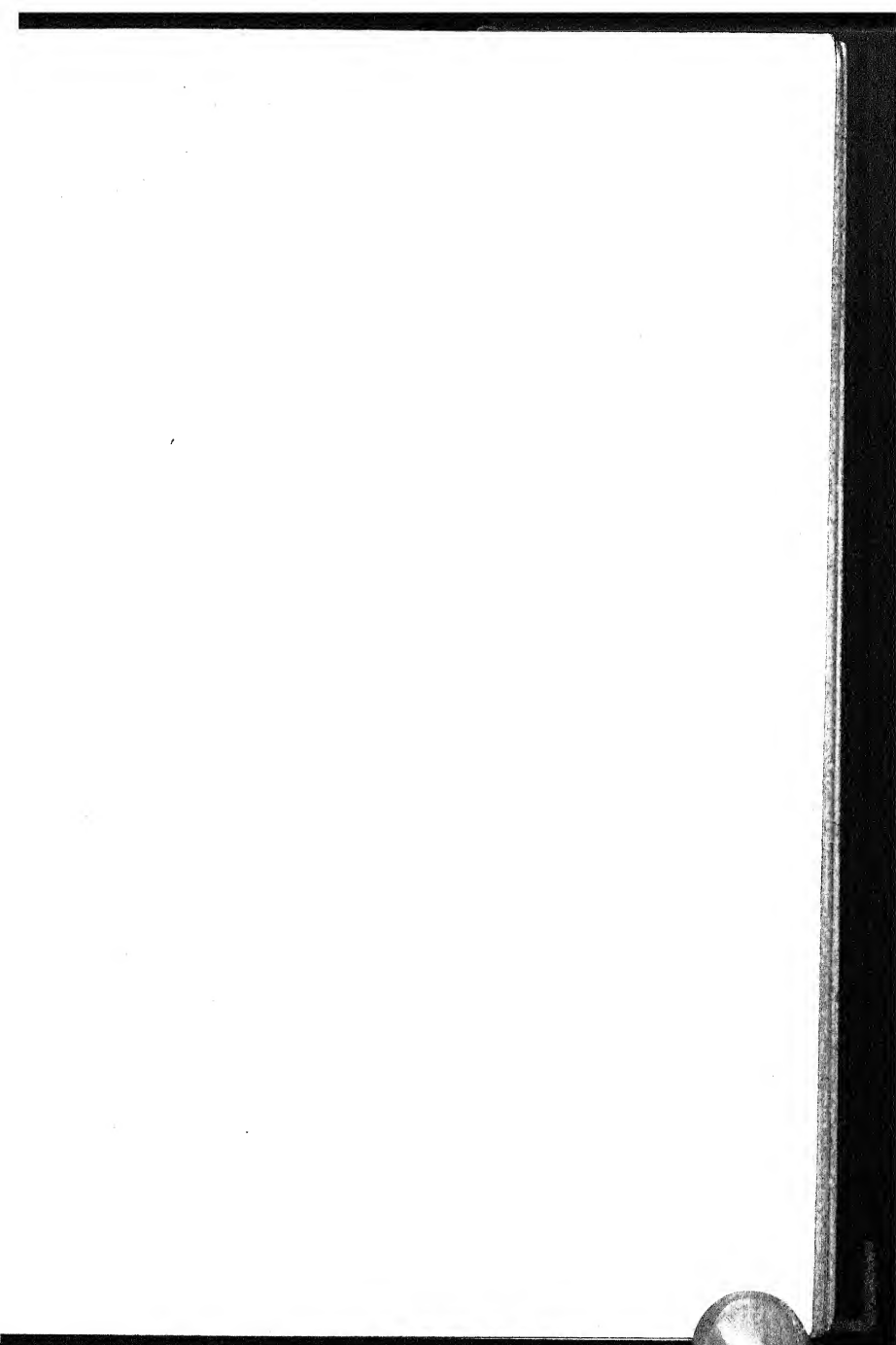
(a) **Educational and Mental.**—This consists mainly of work in the school. If possible two hours education should be given daily to each inmate, but in a large institution such as that at Lahore it is impossible to arrange for more than one hour's tuition daily.

In most cases all that can be expected, in fact all that is really desirable, is that those attending school should obtain such a grounding in reading, writing and arithmetic that they may be able to read what is going on in the world around them and so disabuse their minds of misconceptions; be able to express themselves in simple words in their own tongue, and know the elements of figures and money.

For this purpose proficiency in reading and writing up to the standard of third primary examination, together with a knowledge of the first four rules of arithmetic is all that is necessary, and more need not be attempted. Teachers should realise the importance of practical education. We have known inmates who have progressed in their schooling, sufficiently to be eligible for promotion to monitor grade and yet not be able to tell the time.

The old difficulty of separating habituals from casuals has now disappeared, and it has been found more practical when sending the lads to school to take all the inmates from one workshop at a time, and classes are then arranged to the standard of the individual.

It has been recommended that the school should be brought under the control of the Edu-



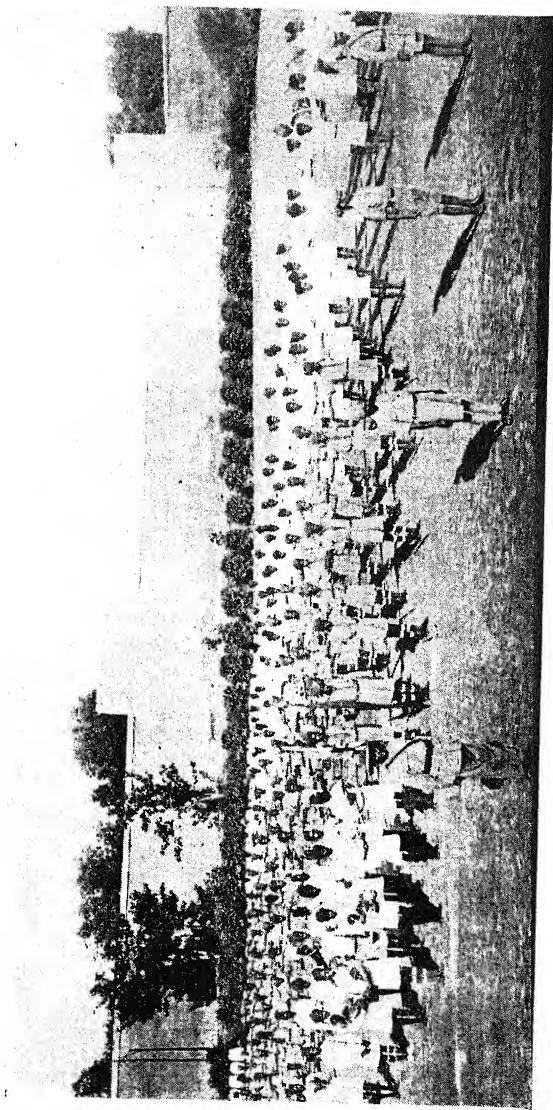


Photo by Patei and Sons,
Educational Pictures Corporation, Karachi.

Physical Drill.
Borstal Institution, Lahore.

cation Department. In this way modern methods would be introduced, and the staff and their pupils would not become stale. If this cannot be done, the classes should be examined periodically by officials of the Education Department, and those lads who do well should be rewarded. At present rewards are given in the form of promotion in the grades and extra remission. Lads who have progressed sufficiently, and who can take the responsibility without abusing it, are made monitors of their class.

Subject to the discretion of the Superintendent in each case every lad who attends the school should be allowed to retain his books and be encouraged to work at them in his cell during spare hours.

The above details refer solely to the secular side of the education ; but the work of the teachers does not end here, and at least one hour in the week should be devoted to the teaching of moral subjects. This however is described under that head.

The Cinema is a useful aid in education, and films on hygiene, agriculture, etc., can be shown from time to time.

The introduction of the Boy Scout movement has proved wonderfully successful, not only in physical but also in mental training, and a full account of this is given under the heading of (b) Physical Training.

(b) **Physical.**—The training to be given depends so largely on the health of each individual that the medical aspect has to take first

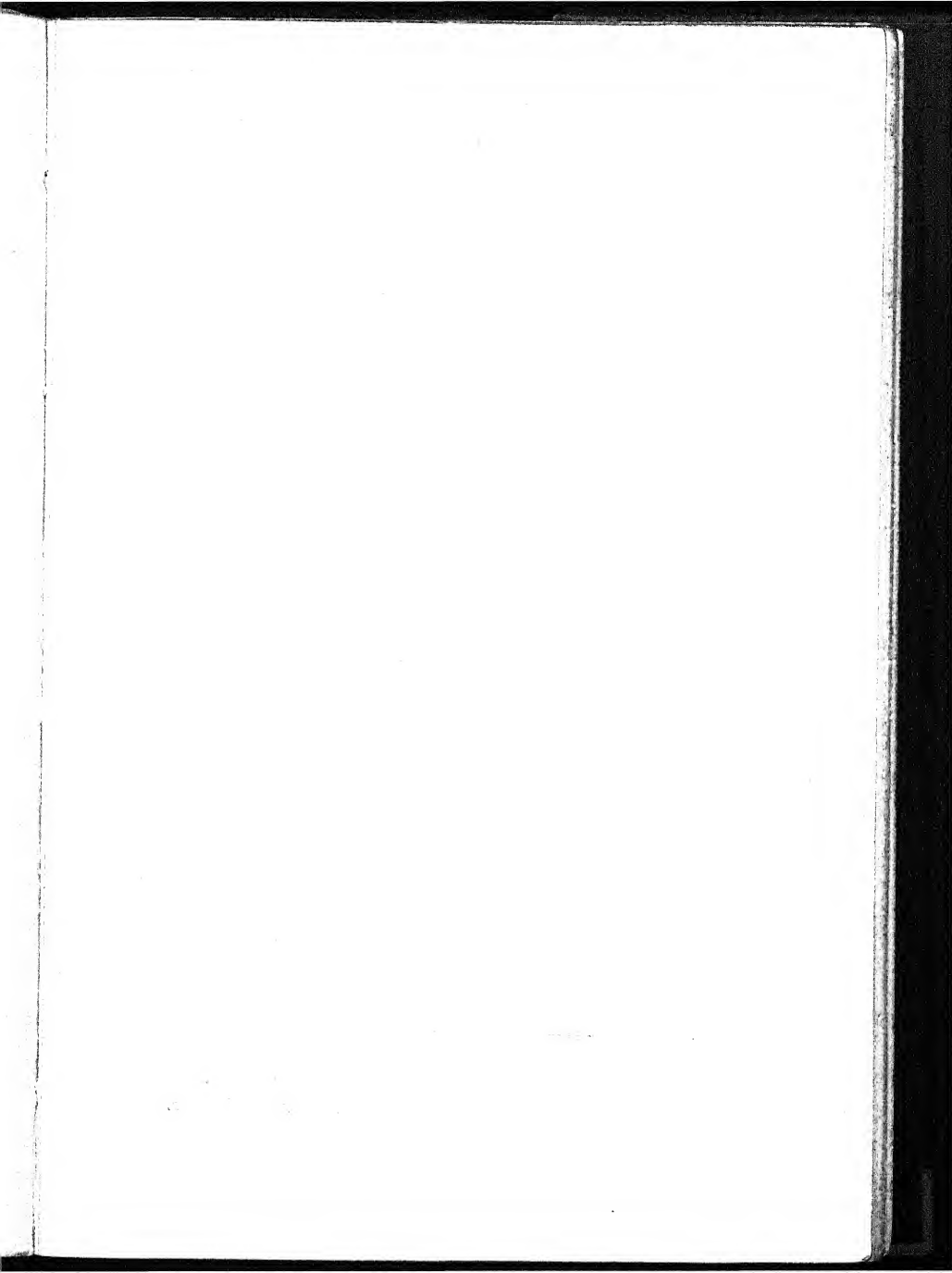
place, and no inmate should be allowed to take part in the routine physical training unless he is passed medically fit to do so. Those who are not fit should be treated in hospital or allotted to a convalescent gang and be excused. Otherwise, all inmates, unless their duties prevent it, should attend for physical training one hour each morning.

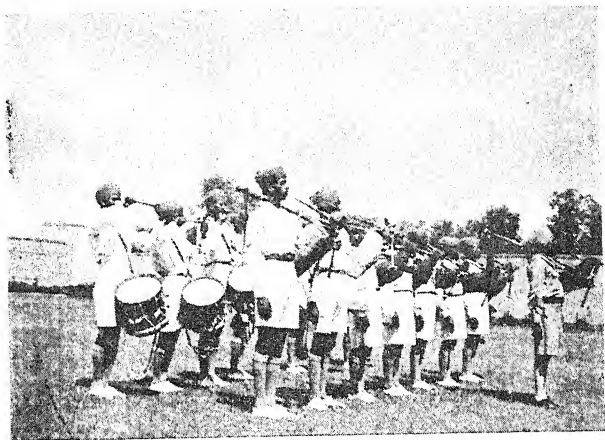
There are few persons who will deny the value of physical drill and discipline. "These" Quinton remarks "are found in practice to effect a wonderful transformation in the class who come under Borstal Treatment.

Youths of slouching gait and furtive demeanour are rapidly endowed with a manly bearing and straight outlook which are in themselves valuable personal assets for a new start in life, and which their instructors regard as indications of the best augury for their moral rehabilitation.

In the home, the school, or the ordinary business of life *rational methods of discipline* are educative influences which contribute largely to national efficiency; but in prison they are the very foundation-stone of all successful treatment whether it be directed to the deterrent, the punishment, or the reformation of the offender."

The drill should be of four kinds, squad, company, battalion and some form of Swedish or physical drill. In addition all movements of inmates should be carried out smartly, and at the "quick-march."





The Pipe Band.



The Brass Band.
Borstal Institution, Lahore.

Military precision, smartness and poise are thereby inculcated throughout the day, and it is astonishing how quickly in many cases a slouching, ill-developed youth improves in appearance and physique under this treatment.

All inmates passed medically fit should on admission be allotted to "Recruit Squads" for training in squad, company, and physical drill.

As in the case of the school, the lads should be encouraged to improve in drill by the possibility of obtaining some reward, or improvement in status. The most efficient should be appointed as drill instructors and train the recruit squads, or as company commanders under the Institution Leader. This inmate commands the battalion under the guidance of the official in charge of physical training. Promotion in the grades is also dependent on progress in drill.

The appointment of Institution Leader cannot be attained, unless the inmate can take command of the battalion for drill, and carry on in the absence of the official. Again, to reach monitor grade, an inmate has to be able to drill the battalion, and put them through their exercises in Swedish drill.

As an aid to drill selected lads can be taught music sufficiently well to play marches, etc., and in the Lahore Institution there are now brass and pipe bands.

Every now and then those qualified to drill with the battalion are taken out for route

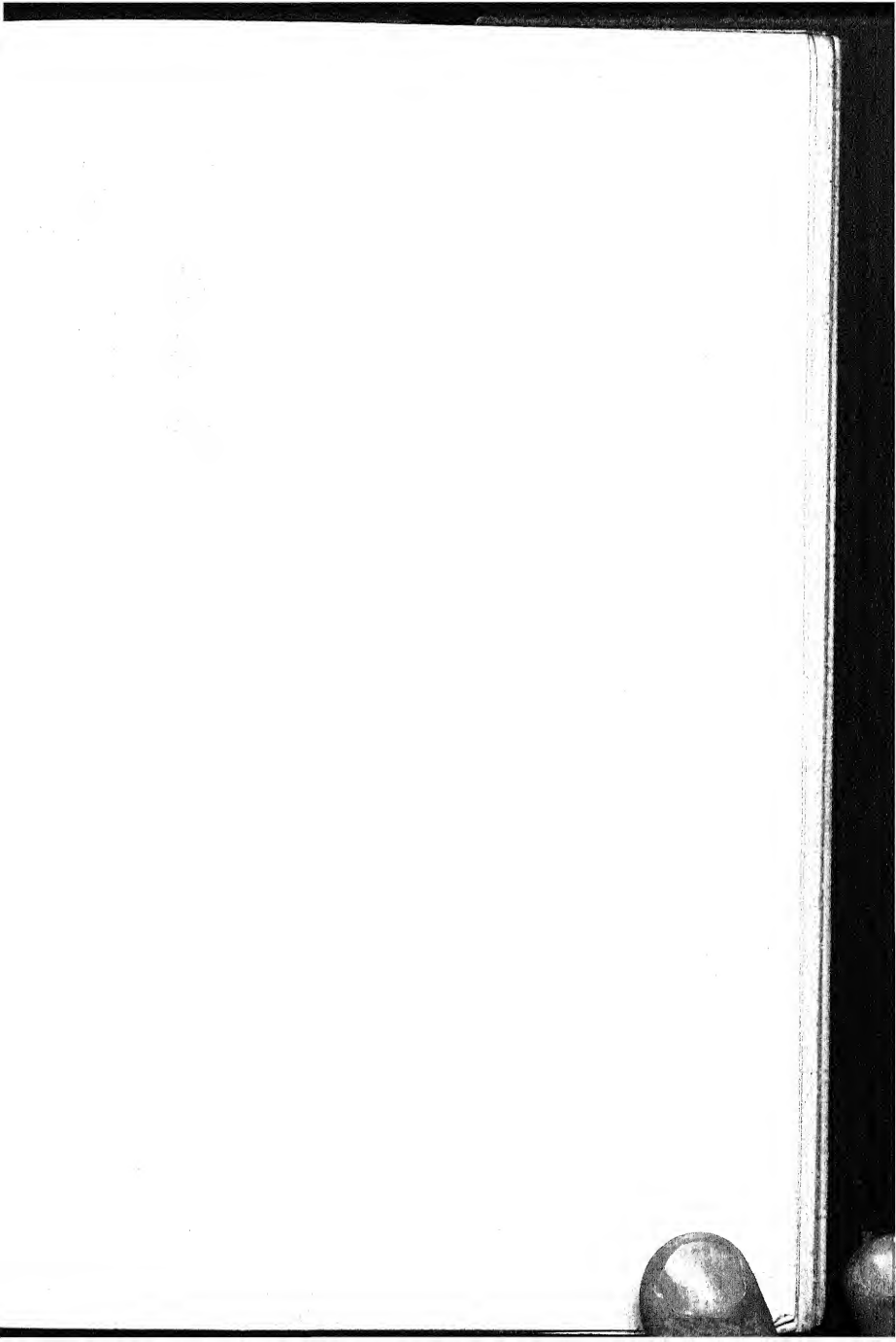
marches. The battalion marches out about 300 strong, headed by the two bands and boy scout troops.

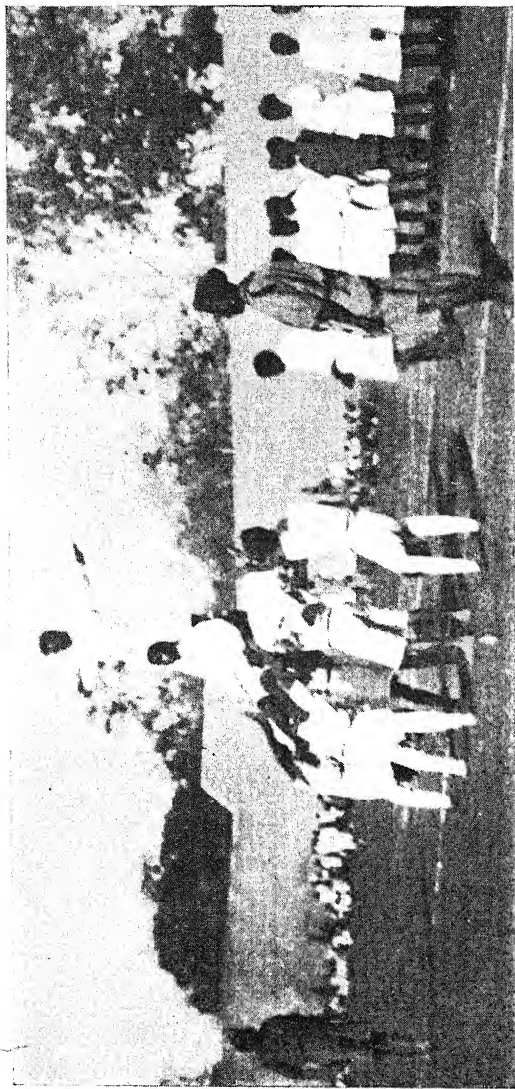
These route marches were sanctioned by Government on the recommendation of the present Inspector-General of Prisons, and the privilege has never been abused. This is, indeed, an achievement, as there are no guards except the drill instructors and one Assistant Superintendent, and no restrictions. All members of the battalion, whether their sentences are short or long go out for the march, and it does show how lads can be trusted not to abuse a privilege when they are put on their honour.

Instruction in gymnastics is really a refinement of, or addition to, the ordinary drill, and therefore should only be taught to those lads who have become proficient in company and Swedish drill. It should therefore be confined to lads in the special grades who are specially keen and otherwise fit.

Games and sports are valuable not only as a relief to the mind from the tedium of work but also as a safe outlet for high spirits, and as a means of physical development and a training in self-control and unselfishness. Personally we do not believe in barring any inmate from games unless he is in the penal grade.

As previously mentioned those inmates who are undergoing only short periods of detention are usually employed on maintenance duties, and have not the time to take part in any of the games in progress in the evening.





Some keen pupils of the gymnastic class,
Borstal Institution, Lahore.

If there is free time, inmates should always be encouraged to take an interest in some game, rather than be loitering about, thinking out some mischief, and probably plotting with others equally slack.

One of the safest and best forms of recreation for adolescents is football; its only implement is quite harmless; it occupies the energies of a good number, and it is an excellent training in unselfishness and in taking knocks and tumbles in a sportsmanlike manner. Even better games where ground is limited are basket and volley-ball. In these games, many more can take part, as the ground required is comparatively little, and can probably be spared in each compound. Previously one of the difficulties was arranging and organising games for fifteen hundred lads, but now with the company system, interesting competitive games can be arranged. Each company should have two or three football teams, and basket-ball teams, and weekly inter-company competitions should be held regularly. There should be tug-of-war teams too, so that every evening there can be some interesting competitions in progress. Teams should be made up of all classes and communities according to the physique and aptitude of the inmates and later, inmates should be selected to play for their company teams and for the Institution Teams.

Interest in games can be considerably increased if regimental and college teams will agree, and are allowed, to visit the Institution

for football and volley-ball matches. If the teams are well-matched a return is arranged and the Institution Team is allowed to march down to the college ground. If suitably arranged such privileges are never abused.

Enthusiasm for sports, games and physical training generally is also created by the holding of annual sports. A challenge shield, and cups presented by well-wishers may be competed for by the companies.

In this way training is made necessary months before-hand, and it is astonishing how the restless adolescent can be kept out of mischief by such methods which all help to improve his physique and mental outlook generally.

Critics might say the lads are being spoilt, but if we remember the importance of all forms of training, then we are bound to realise that far from being spoilt they are being improved physically and mentally, and prepared in every way for a fresh start in life after their period of detention is over.

Boy Scouts.—Before closing this chapter a reference should be made to the value of the Boy Scout movement as a means of physical mental, and moral training.

Troops should be formed in each company, preferably for those who have periods of detention of over two years.

The effect is really marvellous. Inmates who are the most troublesome often become the smartest and best behaved boy scouts.

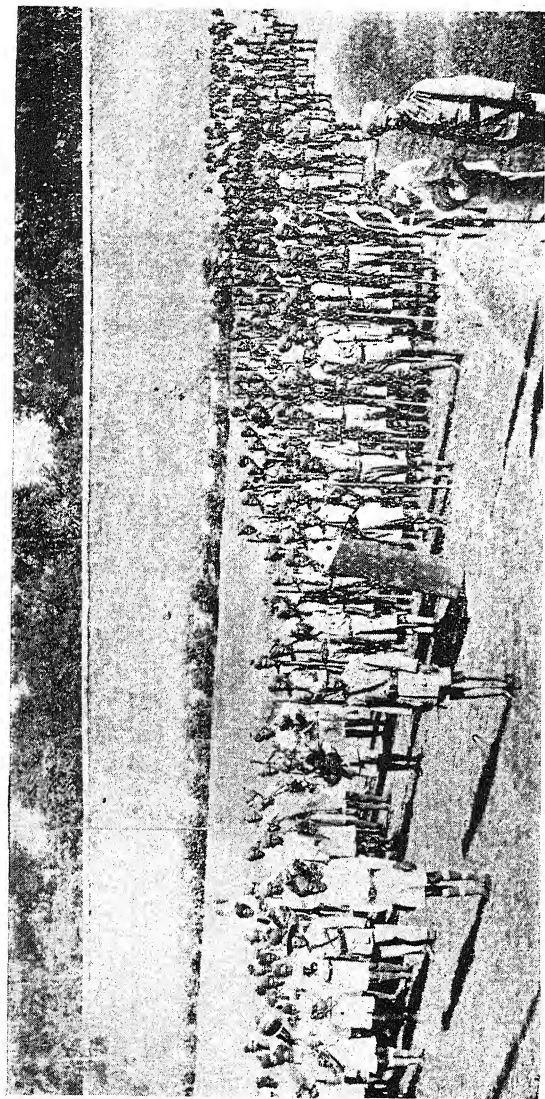


Photo by Patel and Sons,
Educational Pictures Corporation, Karachi.

Inmates on parade led by the Boy Scout Troops.
Borstal Institution, Lahore.

Punishments become practically negligible amongst the scout inmates, quarrels cease, and good will, hard work and keen play become the order of the day.

If funds permit, the scout troops should be allowed to go out to camp for a week each year. This is done in the Punjab, and has proved a great success.

In England Borstal camps are arranged but the scout camps are of more value in that the inmates share the camp training with other free scouts. The training also provides a continual interest which is a further incentive to progress and thereby to further promotion both as a scout and in the grades of the Institution.

Teachers, if keen, will gladly take a scout-master's course, but the best scout-masters can be found among these who will voluntarily visit the Institution two or three times a week, and train the troops. Further accounts could be obtained from the Organising Commissioner of the Punjab Boy Scouts Association who, assisted by his band of workers, has undoubtedly proved the success of the introduction of the Boy Scout movement into Institutional training.

Finally we may refer here to the value of training in first aid and ambulance work. This has been carried on chiefly by the Institution staff in Lahore. For selected inmates stretcher drill can be substituted in the place of physical drill. This, combined with the course of evening lectures on first aid meets the require-

ments of the St. John's Ambulance Association for obtaining the First Aid Certificate.

In due course institutional teams can be organised to compete in the All-India Ambulance Competitions.

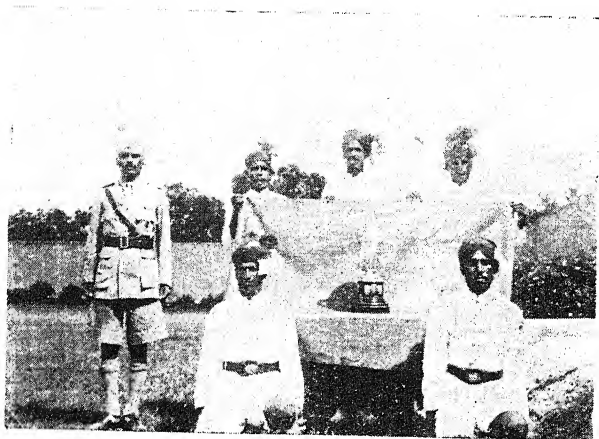
(c) **Moral.**—This head is by no means the least important. In fact in a country like India where the lives and customs of the inhabitants are so closely bound up with religion, training on moral and religious lines must be of the greatest importance.

Each religion has its own tenets and code of morals, and this fact must be remembered in selecting the staff, for in almost every training school that may exist in this country, there will be found inmates of two or more religious beliefs, and each main religion must be provided for.

Nevertheless common ground may be found for the teaching of such general principles as belief in an Almighty God; truth; obedience; self-control in word, thought and deed; temperance; sobriety and chastity; and such principles should be instilled into every inmate from the outset and not only by the appointed teachers, but by every member of the staff from the highest to the lowest. Similarly the adolescent, though treated with firmness and taught strict discipline and obedience should be "led" not driven, "persuaded" not forced. The staff should be encouraged to keep this ideal in view, and to act upon it whenever possible.



A stretcher squad.



An All-India St. John's Ambulance Competition Cup won in 1932.

Borstal Institution, Lahore.

Training on moral lines should commence on the very day on which the adolescent enters the Institution, and this is best done by referring the newly admitted inmate to the rules on promotion, and pointing out that all privileges are dependent on good behaviour and progress.

It is wise not to refer to the lad's offence more often than is necessary for the purposes of record. Definite moral instruction should be given by the teachers in school and some form of syllabus should be drawn up for the purpose. This might include the learning by heart of prayers and religious books according to each form of religion.

The instruction given by the teachers should be supplemented on Sundays and festivals by the assistance of societies, and authorised individuals not officially connected with the Institution.

Such assistance should be welcomed and encouraged, for it is of the utmost importance that the general public should take an active interest in the training of these adolescents.

Each religious community represented amongst the inmates should be asked to send a teacher to preach to his co-religionists.

Similarly, any authorised society working for the moral or social reformation of the nation, might depute a lecturer to speak on such subjects as temperance, or the evils of drug-taking and the like.

If the institution is at or near any educational centre, it should not be difficult to secure lecturers who would occasionally give addresses to the adolescents on suitable subjects.

As mentioned in Chapter II selected lads from the Institution at Rochester, in England, are allowed to attend evening classes at the local technical school, and this experiment might be tried in India, when suitable lectures are being given at educational centres.

"Cleanliness is next to Godliness" and therefore in drawing up any scheme of moral training we should not fail to draw attention to the importance of encouraging inmates to keep themselves, and their clothes, or uniforms clean and tidy. This is best done by awarding "Clean Kit" marks at each inspection. Company records should be kept, showing at the end of each year, which company obtained the highest percentage of marks. These marks may be taken into account, and allowed to count so many points for the challenge shield presented at the annual sports.

There is one other point that has not been touched upon and can be suitably mentioned here, and that is the training of the sense of loyalty and responsibility. It can be developed by giving the lads duties which demand such qualities.

This cannot be done until the individual has shown, by his conduct, good work and general improvement that he is worthy of the trust about to be reposed in him, and therefore

candidates for such posts as leaders under the company system (described in Chapter V) or inmate officials, such as are employed on guard duties, should be carefully selected.

It is beyond the scope or intention of this Manual to enter into any full description of the detailed working of the system of training, but as the fourth heading (*d*) Industrial Training is an important and wider subject, the next Chapter will be devoted to it, in order to allow of a more detailed account. ✕

CHAPTER VII.

Industrial Training and the employment of Inmates.

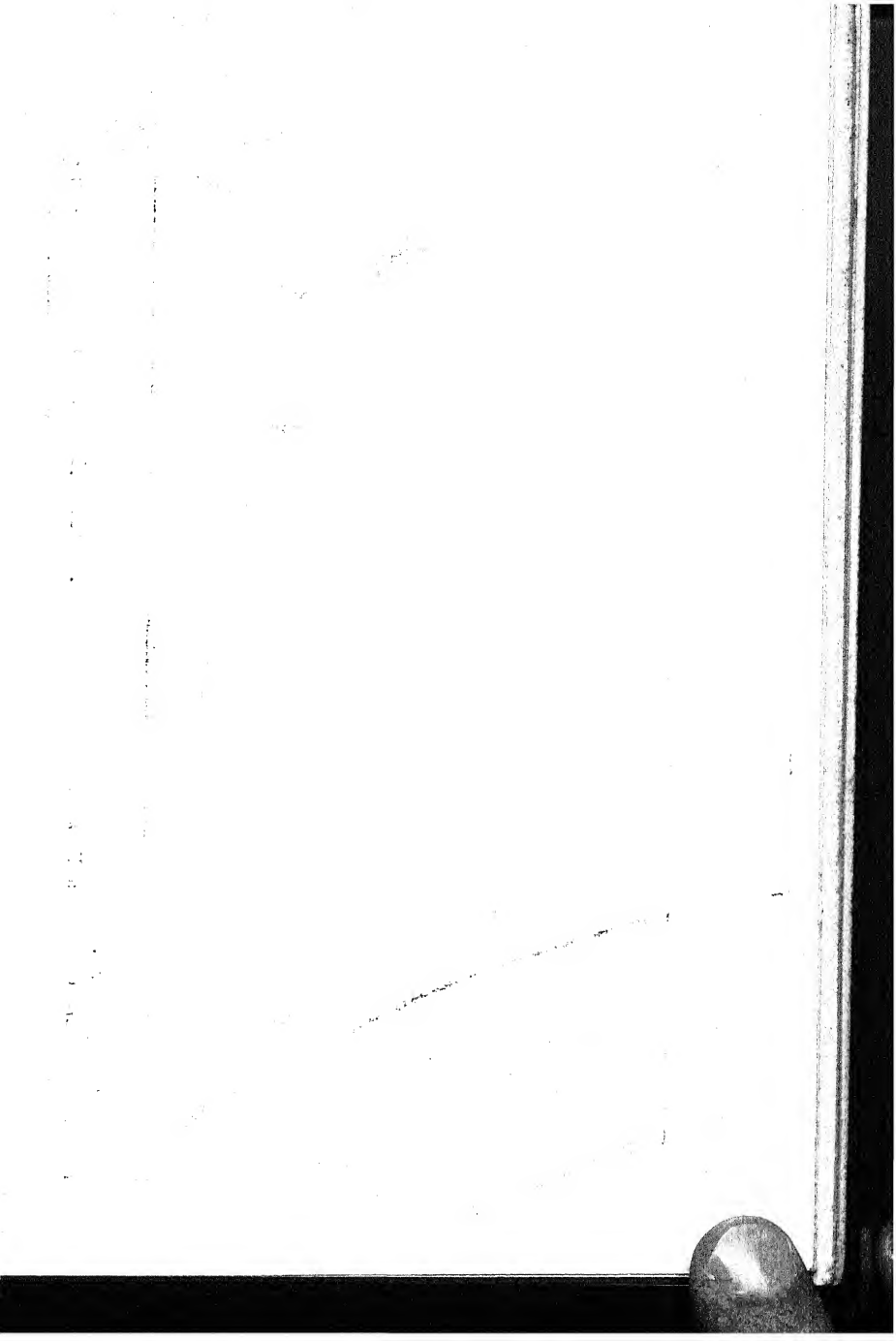
IN Chapter III attention has already been drawn to the importance of promoting the habit of hard work. Dr. Cyril Burt in his famous book "The Young Delinquent," states :—"Habit-formation is always the crux alike in the making and in the un-making of the youthful misdemeanant. Even after the original instigating cause has been removed, the physical trouble cured, or the bad companionship broken off, the old delinquencies may still continue by sheer inertia of custom."

Inmates in the "Borstal Section" will in many cases have been given a longer period of detention under the Borstal Act with a view to their being trained to earn a livelihood on their discharge, and in their case especially it is important to realise the necessity of promoting a habit of hard work at some trade. The whole object of the Borstal Act is defeated if sound training in this respect is lacking.

Most of the inmates in the "Star Section" will probably be in an entirely different position and in their cases it will be sufficient if we consider the subject from the point of view of providing suitable employment.

Let us firstly consider then the industrial training of "Borstal Section" Inmates.

In England it is recognised that inmates cannot be taught a trade in two years, and we are faced with the same problem in India. It



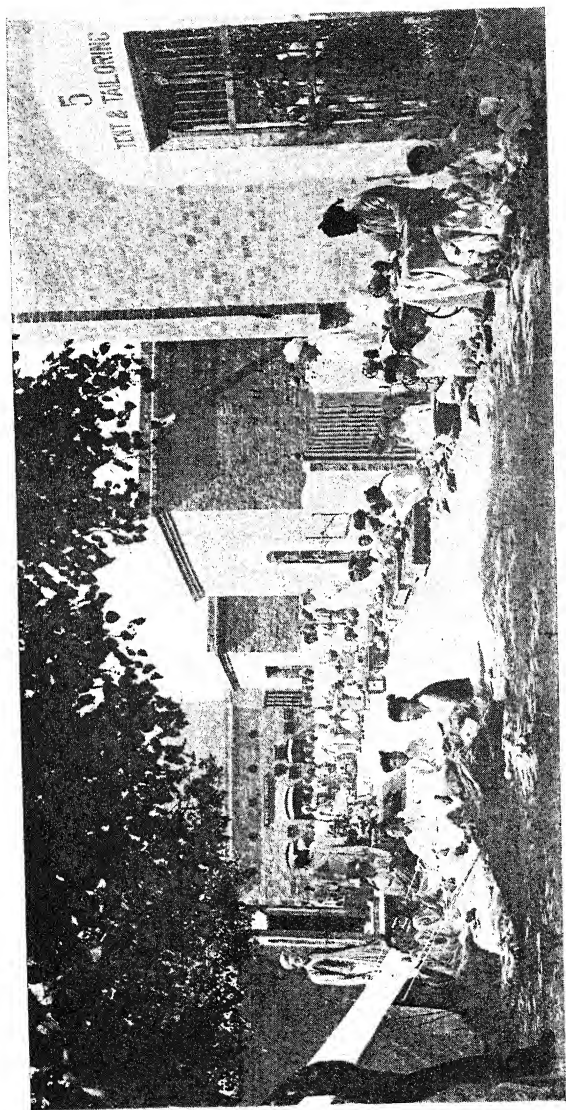


Photo by Patel and Sons,
Educational Pictures Corporation, Karachi.

Inmates working at their various trades.
Borstal Institution, Lahore.

is therefore essential that no time should be lost in sending a lad to the Institution as early as possible after he has been sentenced by the Court. On arrival there, his training should be started as soon as he has completed the period of quarantine.

During the period of quarantine (ten days as a rule) he should be taught the meaning of hard work, by allotting a fixed task of hard labour, such as surkhi pounding.

The task should be fixed according to physique, and the recommendations of the medical officer, and if this task is not satisfactorily performed it is quite clear from the beginning that such an inmate will not benefit by being sent to the workshops, and it is better to award as a punishment a further period of separate confinement, until he becomes amenable to discipline and completes his task. Sooner or later the lad will see that it is better for him to work properly, and after that, he may be sent to the shops for training.

Whatever trades are selected they should be taught systematically, and a proper course of instruction should be drawn up and followed.

In selecting the trade the lad should as far as possible be allowed his own choice, for it is found that he usually works more willingly and improves more rapidly in a trade he likes than in one forced upon him.

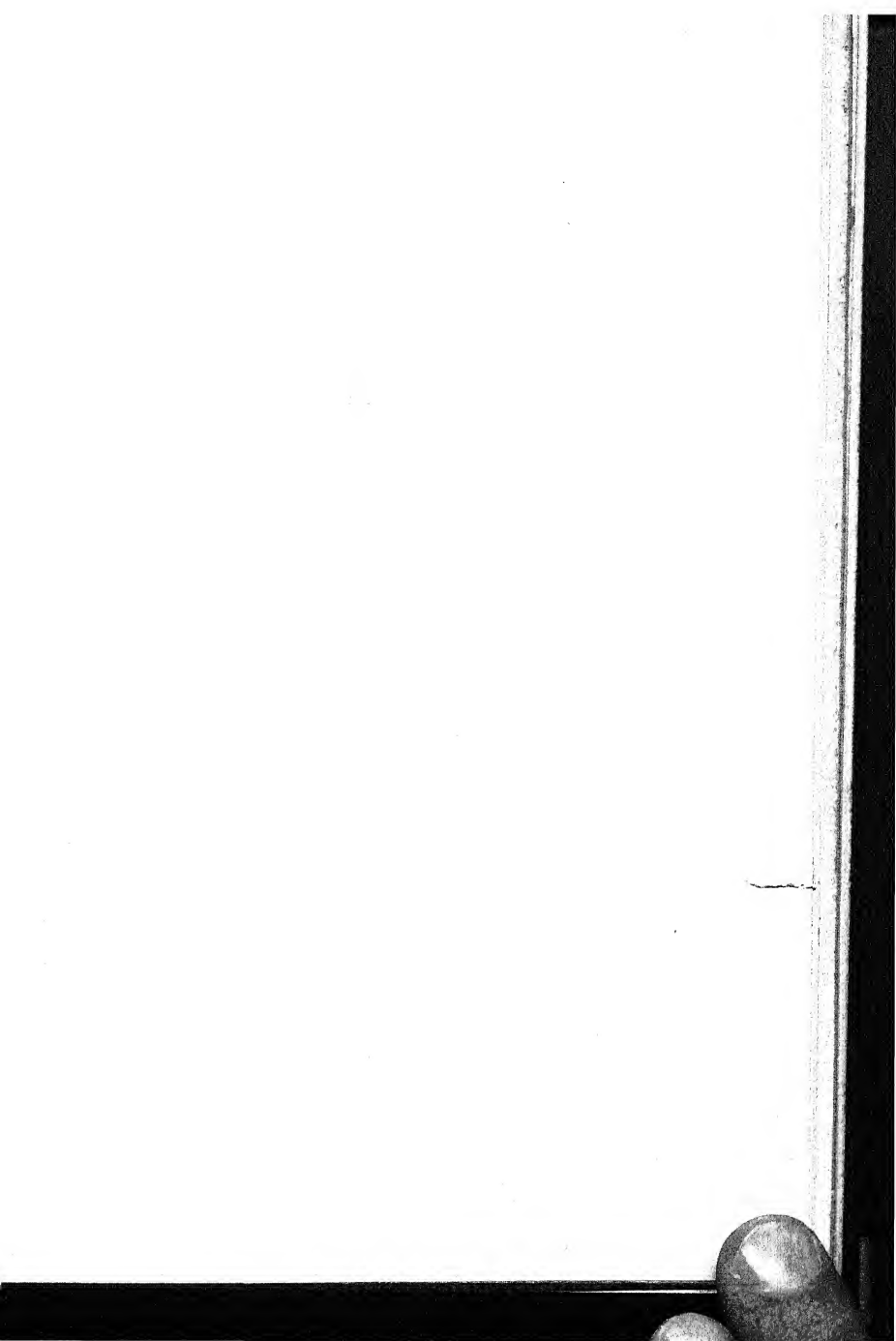
Unfortunately, in practice there are now only a limited number of trades by which lads can earn a living and in which they can be found

employment on discharge or on release on license.

In the Punjab some of these are printing, book-binding, carpentry and painting, and it is therefore advisable to teach "Borstal" lads these trades. Owing to the introduction of machinery, weavers, durree-makers, etc., are not now required in the same numbers as they used to be, and it is therefore necessary to concentrate on teaching those trades for which labour is in demand. Conditions differ in every Province, and trades must be selected accordingly.

Apart from these specialised trades, "masonry" in all its branches is a trade which is in great demand throughout India, and the lad who has been given a good grounding in this form of labour in a Borstal Institution will have at his command, on release, a trade which will always enable him to earn a livelihood.

And further, masonry is a trade which takes a comparatively short time to learn. The full course of instruction may consist of about 31 lessons, extended over four months. Experience, however, shows that fully six months should be allowed for this course. Beginners may be taught the making of sun-dried bricks and the "leaping" of walls and floors. They can be employed on buildings that require such work, while others more advanced in the course can execute repairs in the "Pacca" brick buildings.



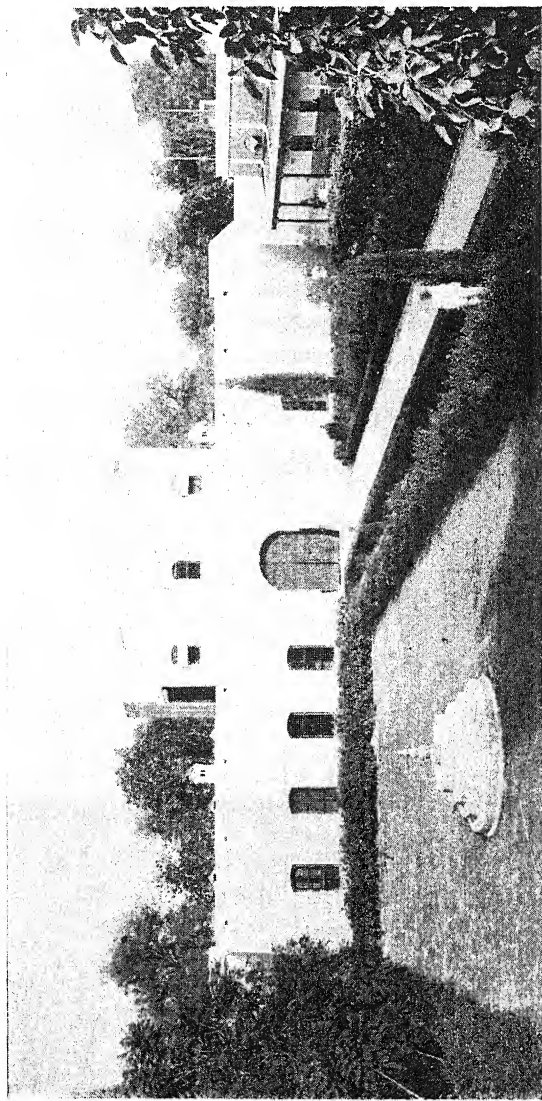


Photo by Patel and Sons,
Educational Pictures Corporation, Karachi.

A part of the garden inside the main entrance.
Borstal Institution, Lahore.

If new buildings are being built, the lads learning this trade should always be employed on them. In fact the work may be done entirely by Institution labour, if supervised by skilled masons.

Gardening.—Agriculture is one of the most important branches of labour that can be taught, and every Institution ought to have a large tract of land attached to it for this purpose. In the Punjab there is always a demand for "Malis" and this form of labour is also both necessary and profitable to the Institution.

A scientifically worked Institution garden should be able to produce not only requirements for the Institution itself, but also extra fruit and vegetables, which can be sold locally and a profit made thereby. Similarly, there is no reason why such cereals as wheat, gram and mustard should not be grown on Institution lands, and used for rations for inmates or fodder for bullocks.

Lastly, the open spaces within the Institution itself should consist of well-kept gardens bordered by perennials and annuals, the care of which should provide excellent training in "Mali" work.

An all-round education in landscape gardening and in the growing of vegetables and crops should provide the lad with an excellent means of livelihood on discharge, whether he returns to his own village as an agriculturist or takes service as a mali.

Inmates should be allowed to enter for local ploughing competitions, etc., and flowers and plants can be sent to the local flower shows. At the Lahore Institution each company has its own garden, and the keen competition to secure the best display is a great incentive to "esprit de corps."

Periodically, examinations should be held under the supervision of agricultural or horticultural experts, and certificates granted to those lads who prove themselves proficient. Such certificates are of great assistance in helping lads to obtain employment on their discharge, and also the prospect of examination acts as an incentive to hard work.

Caste must be considered to a certain extent, and if a lad belongs to "carpenter" caste for instance, it is better to select this trade for him as far as his industrial training is concerned.

To summarise, then, in selecting a trade for a "Borstal" lad we consider the following points:—

- ✓ (1) His physique and general physical condition, as reported by the medical officer.
- (2) His caste.
- (3) The prospects of being able to earn a livelihood at the end of his training.
- (4) His own wishes in the matter.

For the purpose of teaching any trades, expert instructors must be employed. It is useless to detain a lad two or three years in a "Borstal Section" for purposes of training if he is not properly trained, and it is essential, too, that his training should be properly supervised. For instance, a lad who is going to earn his living as a carpenter, must be taught the work from the very beginning, and at the end of the course should be able to make rough sketches and designs of any work he is to carry out.

There is a tendency in the workshop to keep lads on piece work, such as "turning chair legs," but if this is allowed the training cannot prove of value. Training must not be allowed to suffer for purposes of making profits, and it is better to recognise in the first place that the Institution is not being run for profit-making. It should be considered quite satisfactory if expenses for the supply of raw material are recovered through sales.

It will be noticed that no maintenance or guard duties have been mentioned in connection with the employment of these lads. If the "Borstal Section" is attached to the "Star Section" as in Lahore, all such duties should be allotted to selected Inmates from the latter; if this is not the case, then paid cooks, etc., and extra warders should be employed.

As regards the industrial training and employment of inmates of the "Star Section" it is advisable in this case to take into

consideration length of sentence, requirements for maintenance and guard duties and finally industrial training for those who are undergoing long periods of detention.

Fairly large numbers have always to be employed on duties connected with the sanitation, conservancy and food supply of the Institution. After taking into consideration religion and caste, these gangs should be selected from those inmates whose sentences are under two years.

Those with sentences up to three years should attend school and work in the shops until such time as they are eligible for promotion to "Inmate Officials."

Those with sentences over three years should always be taught some useful trade in the same way as suggested for "Borstal Section" inmates.

The time available for labour in both sections will depend on how much is allotted to drill and tuition. If these occupy two hours, as they should, there will probably not remain more than six hours for labour, and it will be important to see that these six hours are fully occupied with hard work and learning.

The importance of training inmates to be courteous to their elders, officials and others, should not be lost sight of. There is no need to enforce strict military discipline, but it is necessary for inmates to learn to salute high officials and visitors, stand to attention when spoken to and so on.

The practice of spitting should be strictly prohibited and can quickly be stopped, if inmates are pulled up each time for such habits.

These may seem to be minor points, but we must realise that we are training inmates to prepare them for employment in the outside world, and in these days of competition youths with uncouth manners stand little chance of obtaining employment even from the most sympathetic officials or other employers of labour.

Before closing this Chapter, it is suitable to refer to the industrial diseases which are likely to be met with, and which should be guarded against.

As previously pointed out, the recommendation of the medical officer must always be considered at the time of allotting labour, but even so inmates working in the factories are always liable to contract certain diseases in connection with their work.

The most common of these are heat-stroke, lead poisoning and bronchitis. The last named if not treated in the early stages may lead to tuberculosis.

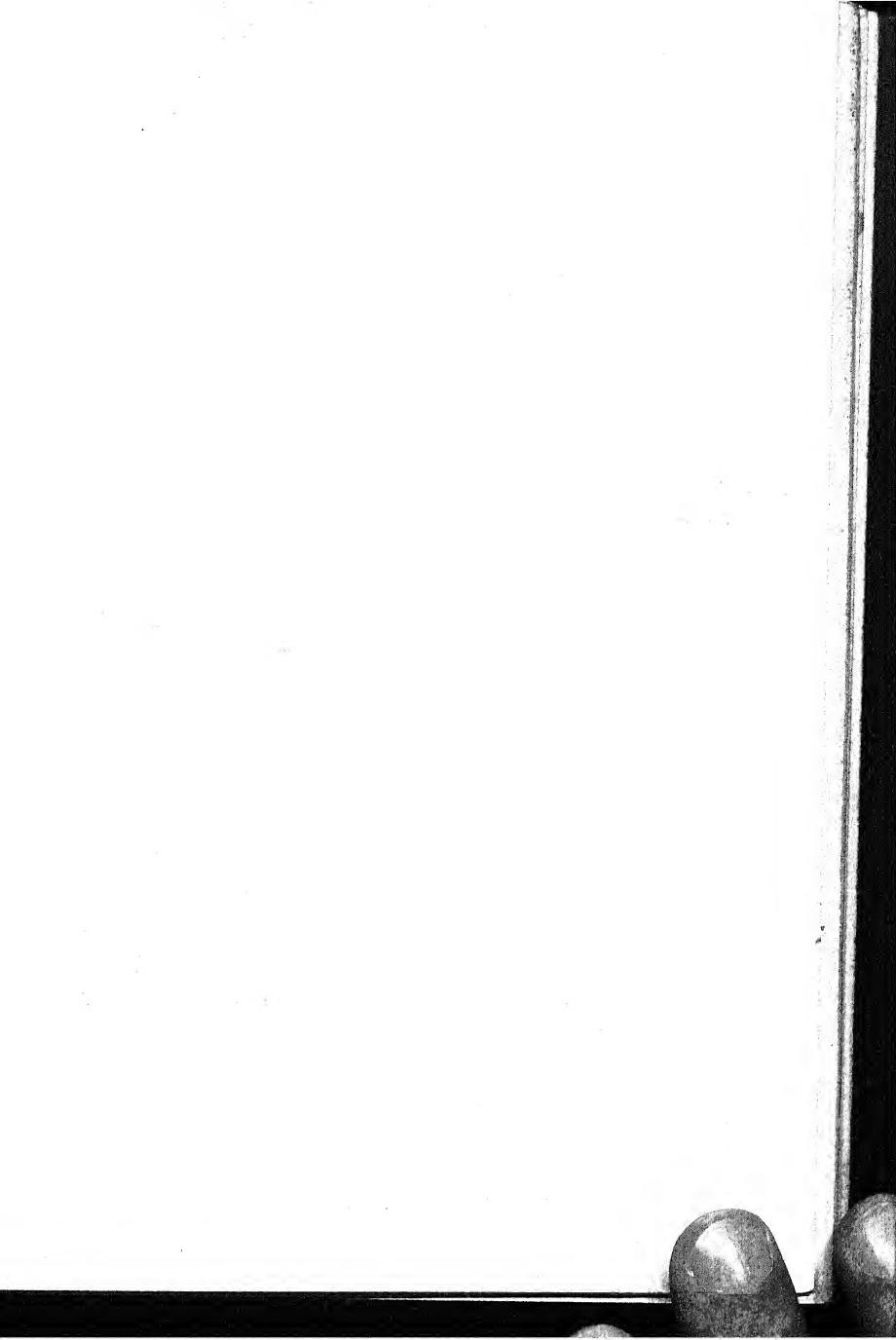
Inmates employed in the cook-houses and smithy shops are liable to heat-stroke, and the tendency to this should be avoided by allowing cooling drinks in the hot weather, and an extra period of rest.

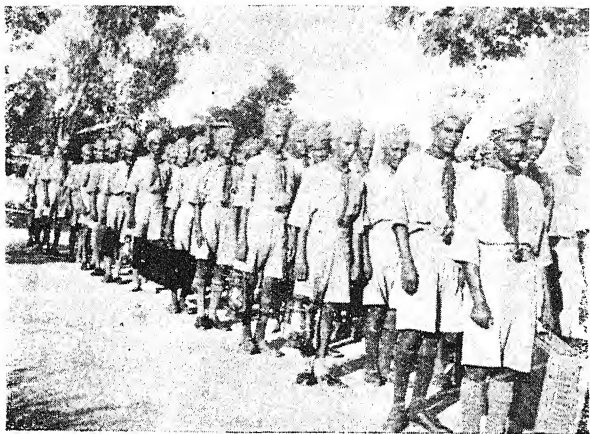
Lead poisoning should always be looked for in inmates who have been employed for a long

time in the printing press, and on the first sign of symptoms any inmate should be removed from the printing press and employed in a convalescent gang on garden or other duties in the fresh air.

Bronchitis, and a tendency to tuberculosis attacks weavers and durree-makers and again a complete change with extra milk and special diet is the only way to avoid a fatal issue.

The medical officer should always be on the look-out for the above conditions.





The Lahore Institution Scout Troops leaving to join a Punjab Scout Camp at Dharmasala.



The Scouts are trained by members of the Lahore Local Scout Association, assisted by members of the staff under the supervision of H. W. Hogg, Esq., O.B.E., D.C.C., A.K.L., Organising Commissioner, Punjab Boy Scouts.

A Typical Scout.

CHAPTER VIII.

Offences, Punishments and Rewards.

Offences.—Little need be said under this head. If the staff is good, and the principles of the Borstal System are thoroughly understood, and efficiently carried out, offences should be few in number and minor in character. Assault cases will be reduced to a minimum if the inmates are separated and supervised as laid down in Chapter IV.

It is important to remember that good behaviour should be encouraged whenever possible by the granting of rewards, and the allowance of certain privileges. For instance, inmates whose behaviour is not beyond reproach, should not be allowed to take part in the route marches and they should not be allowed to play for the Institution football team, and so on.

In this connection attention has already been drawn to the effect of the Boy Scout Movement, the withdrawal of the privilege of going to the annual camp has a much better effect than any punishment that could be ordered.

If punishments are awarded at all, they should be severe, and they should always be enhanced when inmates try to avoid punishment by telling lies.

The holding of inmates courts may be tried, especially in cases of offences against the individual. These could well be made up

as a tribunal, consisting of the Institution leader assisted by two company leaders, chosen from companies not affected by the case. The case would, of course, be scrutinised by the Superintendent, who would be the confirming authority.

Punishments.—These may be the same as authorised for ordinary prisoners in each Province, with certain additions, such as deprivation of badges of rank, etc., reduction to a lower grade or forfeiture of any of the privileges of the grade to which they belong.

As far as possible, the same punishment should be awarded for the same offence, unless committed repeatedly, when the punishment must be more severe and, of course, each time proportionately enhanced.

Inmates when brought up, should be encouraged to be straightforward and realising the offence they have committed, should be asked, "what is the punishment?" After a time they begin to know exactly what the punishment will be, and warn those newly admitted of the consequences of misbehaviour.

Penal Grade.—Reduction to this grade is a severe but salutary punishment, and should only be awarded for serious offences against Institutional discipline. The following regulations are recommended for those in the penal grade:—

They shall—

- ✓ (a) wear gunny clothing of special pattern and colour.

- (b) be entitled to no remission or gratuities.
- (c) have no interviews.
- (d) neither receive nor send any letter.
- (e) do no drill.
- (f) play no games.
- (g) not attend school.
- (h) be employed on hard manual labour in separate confinement, and the tasks, which are allotted according to physique after examination by the Medical Officer, will be rigidly enforced.
- (i) be paraded separately from other inmates both for ordinary parades and for religious and moral instruction.

All inmates in the penal grade should be medically examined at frequent intervals, so as to ensure that their health is not suffering, and the Superintendent should consider each case weekly to see if any are fit for restoration to ordinary grade.

On admission, an initial period of separate confinement is useful, and as has already been suggested, advantage can be taken of the quarantine period of ten to fourteen days. If an inmate behaves and does his work properly during this time, it is wise to start training in the workshops immediately after this, and no more time should be lost. If, on the other hand, an inmate does not prove amenable

to discipline, then a further period of separate confinement should be awarded as a punishment.

Rewards.—Any rewards permissible to ordinary adult prisoners may be allowed for inmates.

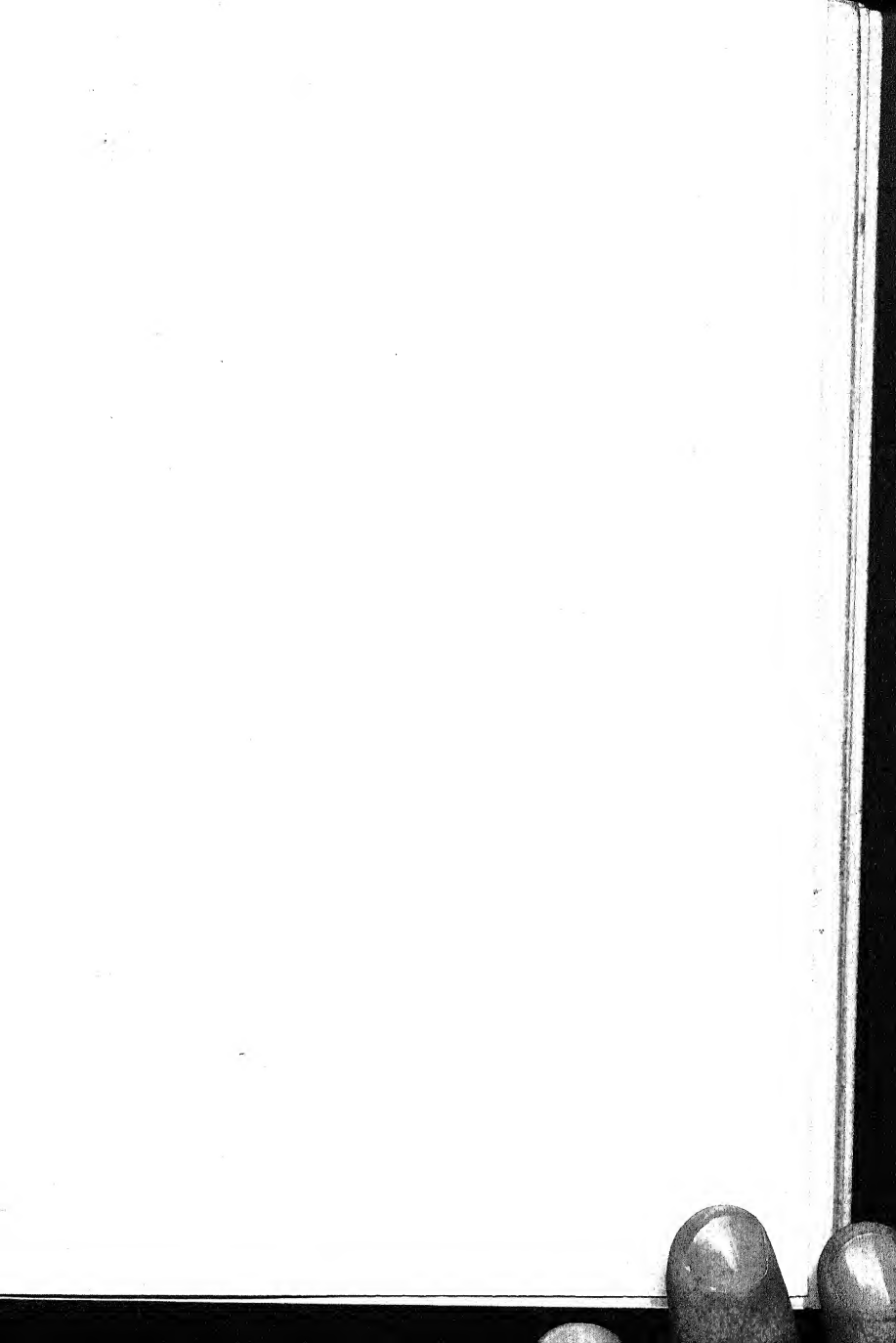
The value of the remission system is one which all, whether ordinary prisoners or inmates of an Institution, thoroughly appreciate, and the grant of extra remission is a very satisfactory method of rewarding them and of encouraging them to behave and improve still more. In the case of the “Borstal Section” marks should be awarded instead, which should count towards qualification for discharge on licence.

Promotion to special grades is an excellent way of encouraging progress and good behaviour, and may be arranged in the “Star” as well as the “Borstal” Section.

The rules for promotion must vary for the two sections and an idea of how these may be framed has already been given in Chapter V.

The following are the privileges to which those in each grade are entitled. They may be altered in any way, which may be approved of in each province:—

- (1) They are given extra remission or extra marks according to the grades.



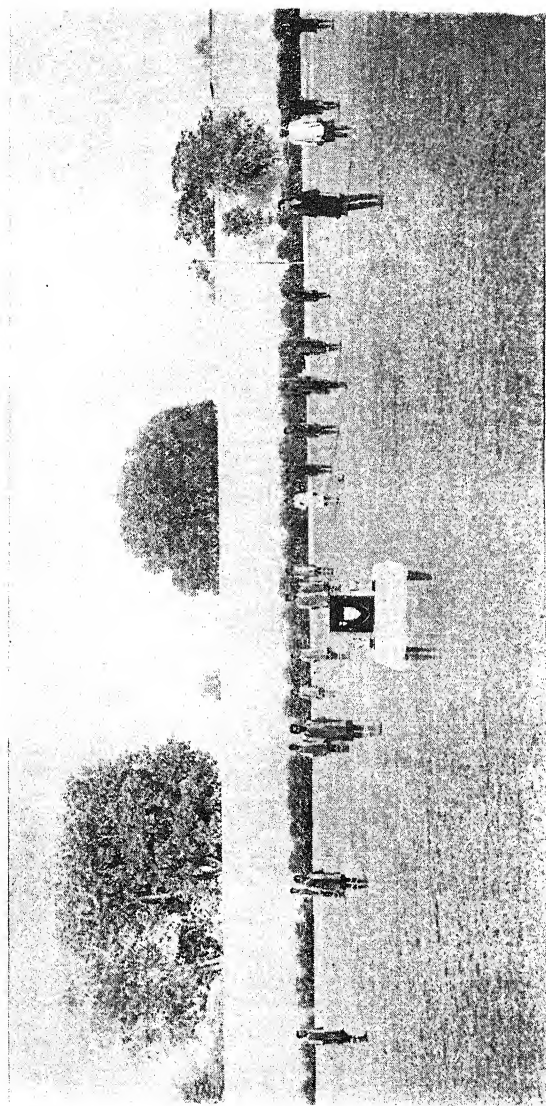


Photo by Patel and Sons,
Educational Pictures Corporation, Karachi.

Company Foot-ball Teams.
Borstal Institution, Lahore.

- (2) All in the special grades are allowed letters and interviews once a month, instead of once in two months.
- (3) They are allowed to play for the institution or company teams when playing matches outside the the Institution.
- (4) They are allowed extra rations of sweets on Sundays.
- (5) Their relations are invited to come to the Institution and watch the "Finals" of the annual sports.
- (6) They are entitled to wear distinguishing belts and badges of rank.

These privileges look trivial but one can imagine how eagerly they are sought after by a lad who finds himself in the "State Training School" with the chance of earning such privileges, instead of in "Jail."

Promotion to the rank of inmate official may also be looked upon, and given, as a reward for good work and behaviour, but such promotion should only be given to inmates of the "Star Section" who are not being given industrial training.

Gratuities—May be allowed to any inmate, except those in penal grade, so long as they do not exceed the maximum allowed by regulations, either for an individual or for the whole institution. They are a useful form of reward especially when an inmate has earned

the maximum remission or marks allowed according to rules, and if he deserves a further reward.

They are useful :—

- (a) For the purpose of providing an inmate with funds to purchase religious books, or shoes, etc., for drill and recreation purposes.
- (b) In order that an inmate on release may not be entirely destitute of money on reaching his home. Government, it is true, provide each released individual with a railway warrant, but if an *ex*-inmate reaches his native town or village without an anna, the necessity for food is very liable to cause him to lapse into crime in order to obtain it.

Gratuities in the form of money are not so valuable when there is a Borstal Association arranging "after-care" but it is doubtful if such an association would be able to look after the many inmates released daily from the "Star Section."

The writer considers the system of "work and earn," as now being tried in England, is the ideal one for training purposes, but this would only be practical in the smaller institutions where each inmate's work can be sufficiently supervised for him to be paid a daily wage, according to the work done. Over-time and exceptionally good work would earn a

bonus, slackness would mean a cut in pay and possibly short rations, and there is no doubt that this system would help considerably in the formation of a habit of hard work.

In England gratuities form an integral part of the penal methods, on the principle that no prisoner should find himself absolutely destitute on release. In the case of an inmate of a Borstal Institution, he can earn a maximum of £ 2, and the gratuity so earned is usually handed over to the Borstal Association, to be expended for the benefit of the discharged inmate.

Promotion to leadership of a company or group, monitorship of a class for excellence in scholastic work, or in the workshop, and the wearing of company commander chevrons for excellence in drill all tend to encourage good behaviour, and in concluding this chapter, stress is laid upon the importance of rewarding good behaviour, and so reducing to a minimum the necessity of awarding punishments for misbehaviour.

CHAPTER IX.

The Establishment.

The personnel of the staff is one of the most important factors in the success or failure of the Borstal System, as far as it is carried out in the Institution itself, and, therefore, the utmost care must be taken in selecting every member of the staff. Only thus can the influence of the Institution be kept at that high level which is necessary for reforming the young offender.

The Prison Commissioners, in discussing this point, stated that in the Borstal System "the personal element is the essential;—be it in the character of those who exercise disciplinary control, or those who hold out a helping hand on discharge. Its success will be in exact proportion to the sum of humanity that is coming forth to tackle these lads and, by influences both of discipline and of sympathy, to divert them from a criminal life."

Sir Evelyn Ruggles-Brise, late Chairman of the Prison Commission, puts the whole case so clearly that his statement may be quoted verbatim. He writes "of all the human factors making for reformation (of the juvenile offender) the greatest is the personal influence of good and manly men. Everyone who has engaged in reformatory work, or in any other kind of social work, knows this. All the machinery of gymnasium, school, and trade instruction fails if that good influence is absent.

It is on this factor, therefore, next to religion, that the state places its reliance.

The aim of the authorities is that the whole of the staff of each Borstal Institution should be chosen as being men of strong and superior character, persons who do not offer themselves merely from a desire to perform certain regular duties, and to be paid for doing them, but who take a personal interest in the training and rehabilitation of those placed in their charge. And every member of these staffs, from the highest down to the last joined, is expected to take and does take his part in the actual work of influencing and forming character by watching the inmates under his charge, getting to know something about their life and surroundings, and while always maintaining firm control, speaking kindly words of help, and advice, and encouragement from time to time when suitable opportunities occur."

These remarks are equally applicable to India, and cannot be over emphasised.

To ensure a firm and exact control over young lads, there must be discipline, and to ensure discipline there must be a good staff.

In 1910, Havelock Ellis expressed the strong opinion that "the prison warder of to-day is about as well fitted for the treatment of criminality as the hospital nurse of a century ago was fitted for the treatment of disease," and Professor Vambery of Hungary recommended that not only should warders be specially selected for the purpose, and be

possessed of the necessary qualifications, but they should in addition undergo a course of professional training before being definitely appointed to their positions.

Both these experts were referring to the warder of ordinary prisons. But, if it is necessary to be so careful in the selection of staff for an ordinary jail, still more so is it necessary for a Borstal Institution.

What was said of warders in England in 1910 is only too true of warders in India twenty years later. The writer is averse to the practice of transferring the warders from ordinary jails for terms of duty in a Borstal Institution, and it is recommended that recruits should be posted direct, trained during a period of probation and employed permanently subject to good behaviour and work. Failures should be transferred to the ordinary warder establishment if they are found suitable as warders, but not suitable for Borstal.

The same remarks apply to the Upper Staff. Keen young men, who play games, who hold first class scout certificates, and who are prepared to take an interest in the lads are the type required.

They should be clean and smart; their physique should be good; and their conduct and moral character of the best. They should possess kindly dispositions and the gift of sympathy, but should at the same time be firm, and have a good power of control over

their fellows. Absolute truthfulness and honesty are essential, and they should be keen on their work, and intelligent enough to grasp to the full the aims and ideals of the system, and to take their part in developing them.

It is of importance too, that the officials in charge of the lads whilst they are at their work should be men chosen, not only for such skill at their work as will command respect, but also of the type who will realise their responsibilities in the work of industrial training, and keep the lads interested and keen on the work they are learning.

That such men as the above can be found in England is shown by the Governor of Borstal's opinion of the instructors, both disciplinary and technical, who "seem to vie with each other in trying to get their own special jobs to turn out best, and when there is a feeling like this the best results must ensue." Our aim in Borstal Institutions in India must be to get men like this; but to obtain them, much training will be necessary, for there is a very sharp contrast between the "laissez faire" methods of the present Indian warder, who as a general rule only bestirs himself when superior officers appear on the scene, and the keen personal interest in every boy under his charge, which is now characteristic of the officers in the Institutions in England.

The motive power of the whole system in a Borstal Institution lies in the Superintendent, and he should, therefore, be a man possessed

not only of a thorough knowledge of criminology in all its branches, but of a keen mental vision to guide and develop the system along right lines. He must be practical, and capable of adapting the system to suit conditions in India.

He should possess all the qualities detailed above for the whole staff, and should take a keen personal interest in his charge and (as far as possible) in each individual member of it.

On this ground it is preferable that he should be a "whole-time" officer, so that he can devote his time and energies entirely to the training of his staff and the inmates. In the training of adolescents, so much depends on their health and physique, that it is advisable for the Superintendent to be qualified to combine the duties of Medical Officer with those of Superintendent.

Second only in importance to the Superintendent is the Deputy Superintendent, who is the former's right hand, assisting him loyally in every scheme for the training of the inmates, and placing his intimate knowledge of their minds, customs and habits at his disposal.

The school teachers are an important branch of the staff, for it should be their duty not only to give secular education to their pupils, but also to assist in improving their bodily physique and their moral character by every means in their power. The teachers at Borstal and Feltham afford a good example of what teachers in Indian Institutions should

aim at. A Governor of Borstal said "They conduct the school with marked success, and in addition to their school duties, are a great assistance in a disciplinary sense. Their influence on the boys is astonishing and I greatly appreciate the way they devote themselves to promoting the welfare of the lads. They give much time to the games of the special grade, and I consider this particularly gratifying, as I think the proper spirit of games is an education in itself."

At Feltham the teachers "in addition to teaching, supervise the games and endeavour to obtain a hold on the lads and an insight into their character by personal visits in the cells and workshops."

As already suggested, teachers can assist considerably by qualifying as scout-masters and helping the voluntary workers in the training of the company troops.

If the above ideals are followed, a staff should eventually be obtained, well qualified to carry out the training of lads on Borstal lines. But if the right men are to be obtained, the authorities must be prepared to offer sufficient inducements to them to accept service, and secondly when the right man is obtained, he must be thoroughly trained in his work by officers well versed in the training of youthful offenders.

CHAPTER X.

Hygiene.

BUILDINGS, CLOTHING, DIETARY, MEDICAL AND SANITARY.

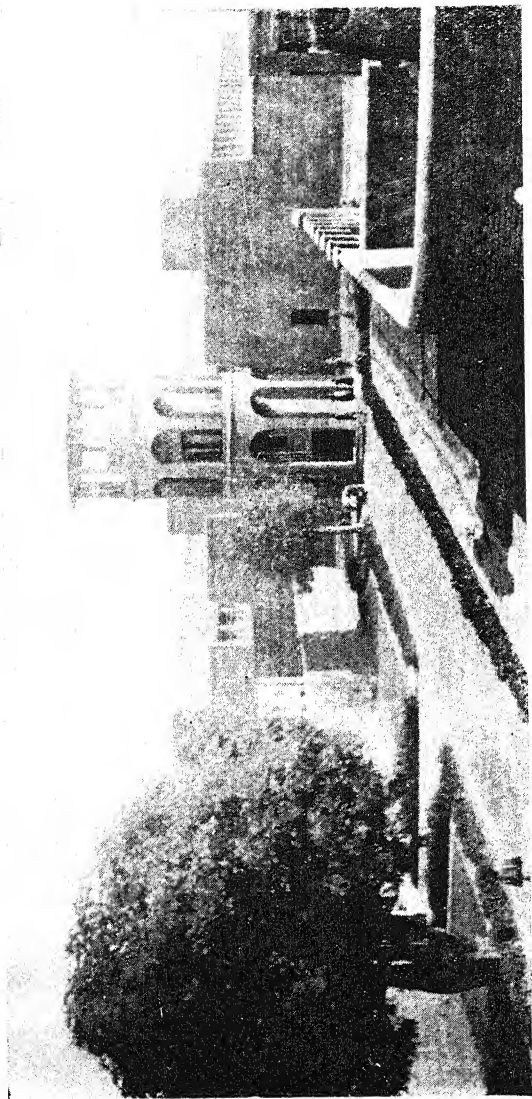
THE health of the inmates is so closely dependent on the way they are housed, clothed and fed, that it appears advisable to include all these principles under the general term "Hygiene."

It is not proposed, however, to discuss these points as they affect convicts generally. This would be quite beyond the scope of a Borstal Manual. Only those points need be mentioned which concern the adolescent.

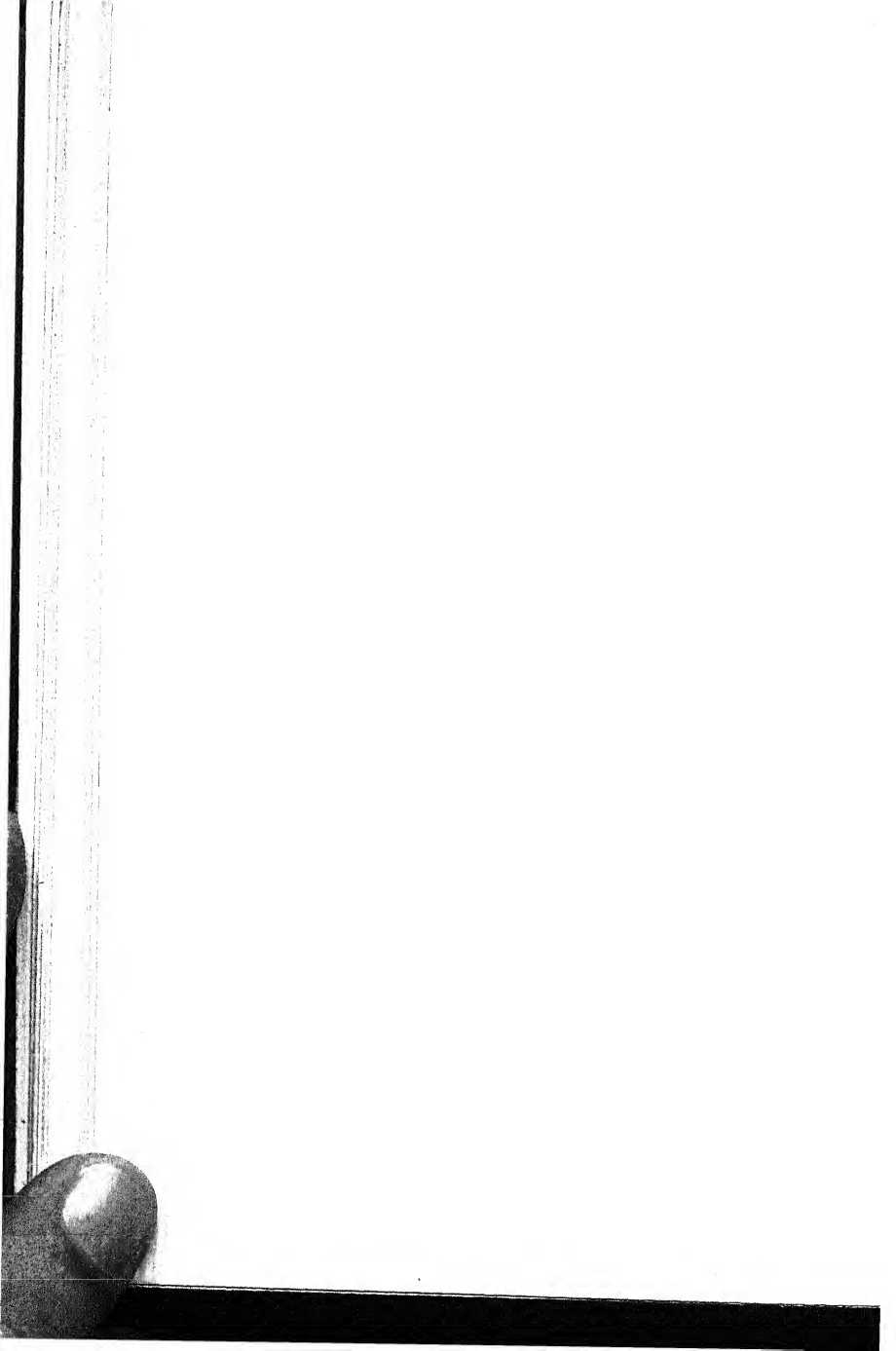
Buildings.—No stereotyped forms of buildings can be recommended for such a vast area as the whole of India, but each type of building should embody the most up-to-date principles of architecture and sanitation.

In England it is considered desirable for inmates to be accommodated in separate "Houses," each with its recreation room, bath rooms, changing rooms, and dining room on the ground floor, and the dormitories on the top.

It is advisable, however, for the proper carrying out of the principles of the Borstal System in India, that every inmate should be kept separate from others at night. General dormitories must, therefore, be replaced in any plan by small rooms or cells. This prevents an untold amount of mischief, both trivial and



The central tower of the new Borstal Section.
Borstal Institution, Lahore.



serious in character, and puts a stop to most of the immorality that is apt to prevail amongst Indian prisoners, especially the "restless adolescents." It also enables each individual to obtain a good night's sleep, undisturbed by the talk, the practical jokes, or the petty tyrannies of his fellow inmates ; a good night's sleep makes him far better able, and more willing in every way, to perform the labour and profit by the instruction of the ensuing day.

In each company block there should be a small office room for the Assistant Superintendent in charge, and also a company store-room for clothing, etc.

The number of blocks necessary would vary according to the proposed population, but in providing these the classification and separation laid down in Chapter IV must be remembered.

The building should be lighted throughout by electric light, which should be installed in each cell, to allow of study and work after lock-up.

It is recommended that if space permits, each company should have its own compound, with sufficient ground for basket-ball and other games.

The various offices, godowns and hospital buildings, etc., should be in a separate compound, as also the workshops.

In addition to these quarters for companies, blocks of cells would be required for

quarantine and punishment purposes. These should be sufficient in number to allow of separate cells for sleeping and for work.

As regards the hospital, factories and school-rooms, there is nothing special to be said, except to stress once more the necessity of "Separation" as already detailed. The buildings should be large and airy ; well ventilated and well lighted, but at the same time so designed as to safeguard against the inclemencies of the weather.

All these buildings should be provided with electric light, so that work need not be stopped so early in the winter, and advanced classes of well-behaved inmates may be held after dark.

The separation of habituals has not been discussed, as it is presumed that separate institutions have been provided, or at least separate sections for the "Star" and "Borstal" class of inmates.

Clothing.—This should be different from that of ordinary convicts. Each inmate should be provided with two suits yearly for ordinary wear, and one suit for drill parade, consisting of a shirt and pair of shorts. These suits may be of khaki or white mill-made dasuti, and each inmate should be provided with a puggree, or small cloth cap coloured according to the company colour. The distinctive dress of special grade inmates has already been referred to.

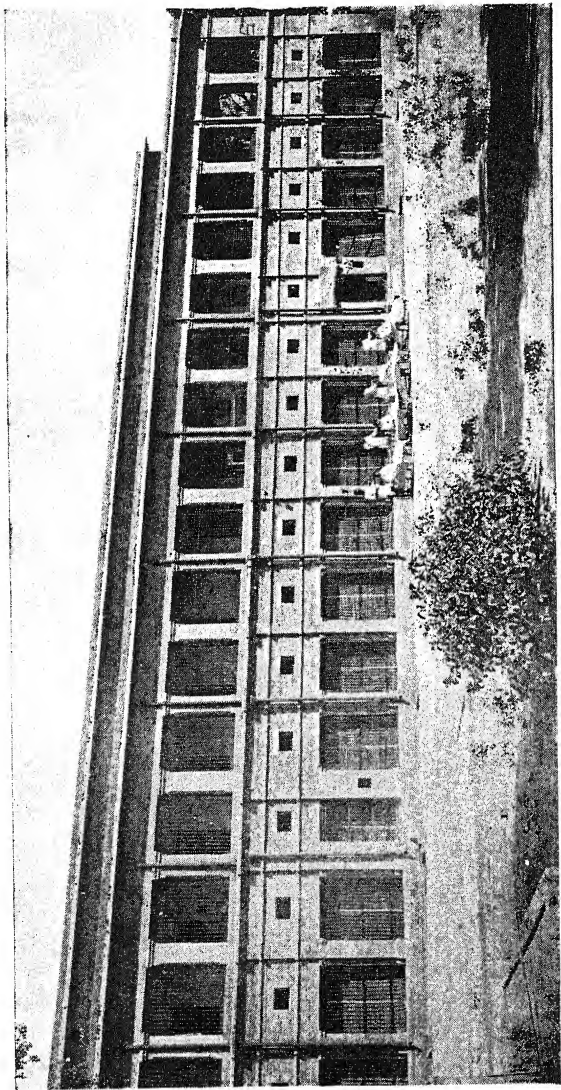
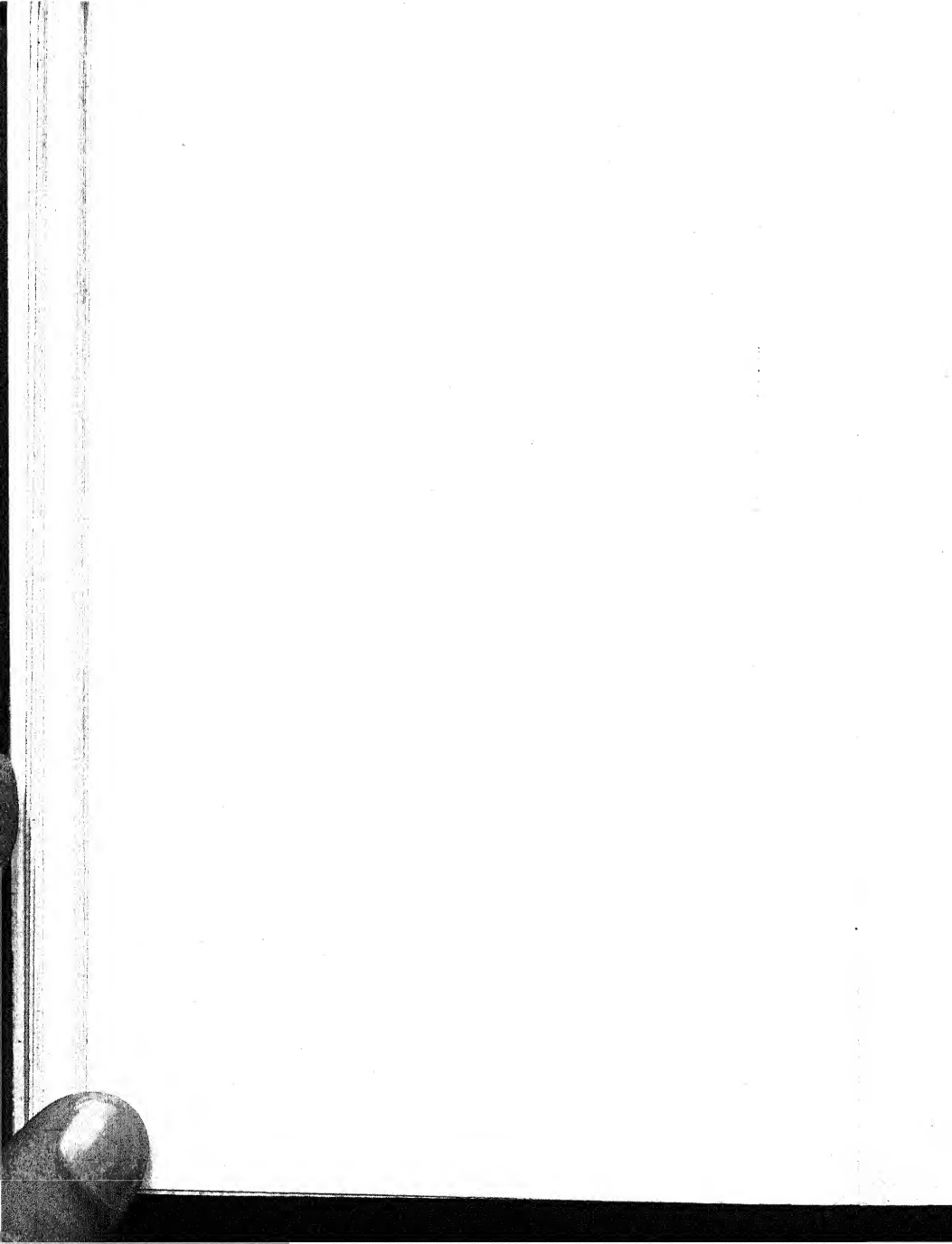


Photo by Patel and Sons,
Educational Pictures Corporation, Karachi.

The main hospital block.
Borstal Institution, Lahore.



In addition, if the authorities agree, inmates should be allowed to receive from their parents or relatives, one vest and one pair of shorts, to be used only for recreation purposes after working hours are over.

Inmates should be made to wash their own clothing each week, preferably on Sunday. This keeps them out of mischief and trains them to keep themselves clean. The writer does not agree with the provision of laundries, as few of the inmates will be able to afford to pay for their clothes to be washed after they have been discharged, and if they are not trained to keep themselves and their clothing clean by their own efforts, then their training is sadly neglected.

Marks or remission should be given to those inmates who are clean and smart on parade, and who mend and keep their clothes in good condition.

If the Boy Scout Movement has been introduced, the complete scout uniform and equipment, according to rules of the organisation, should replace the third suit suggested for drill parade. All the articles required can be made in the Institution Factories, except the troop flags, which have to be bought.

For games and parade purposes shoes are required. Sand-shoes are the most suitable and after a definite colour and pattern has been decided on, inmates may be provided with these, either by their relatives or by expenditure from any gratuity they have earned.

Dietary.—As a general rule it may be said that adolescents should receive the same dietary as that authorised for adults in the ordinary jails in the Province. These diets vary considerably and experiments are still necessary to decide what foods are most suitable. The amount given also varies to a certain extent, some diets being more generous than others, and this fact makes it difficult to suggest any alterations or additions for adolescents.

The Punjab diet was studied carefully when the original author of this Manual was Superintendent of the Borstal Jail at Lahore before the war. The one cook-house supplied food not only to close upon 1,000 adolescents, but also to 800 adult men of the District Jail, and to 250 women in the Female Jail.

The raw rations were the same in every case, and the same cooked rations were supplied to all, except that the quantity issued to women was less. Nevertheless, experience showed that women and adults kept up their weight and even improved in health on the authorised ration, whether on ordinary or convalescent diets, but a very large percentage of adolescents lost weight steadily on the same. It is true that many adolescents are in a poor state of health when they are admitted, but their labour is not excessive and they should at any rate not lose weight on the ordinary diet. On the contrary, a growing lad should steadily gain in weight. And yet it was found that a very large percentage of adolescents lost weight

or remained under weight, whether on ordinary full diet or on prescribed convalescent diet.

In consequence of this, the experiment was made of giving selected gangs extra diet by increasing the amount only of whatever diet they were having, the work and other conditions remaining the same. The result of this was favourable, the great majority showing a steady improvement in weight and general condition. These facts led to the conclusion that a growing lad requires a more liberal diet than is necessary for the maintenance of equilibrium in an adult.

Thanks to these experiments, adolescents in the Punjab are now allowed two chittaks of wheat extra.

Recently an issue of gur daily has also been added to the diet of all prisoners, and not only for adolescents.

In other provinces where the diet is more liberal, the ordinary diet for adults may be found sufficient for adolescents, but the health and general condition of the latter should be carefully watched in every Institution, and a free hand given to the Medical Officer of the Institution to alter or increase the rations at his discretion. This is another important point which emphasises the desirability of having a Medical Superintendent.

Medical.—Every inmate of a Borstal Institution, at any rate until he attains the age of 20, should show a steady improvement in his weight, height and chest measurements,

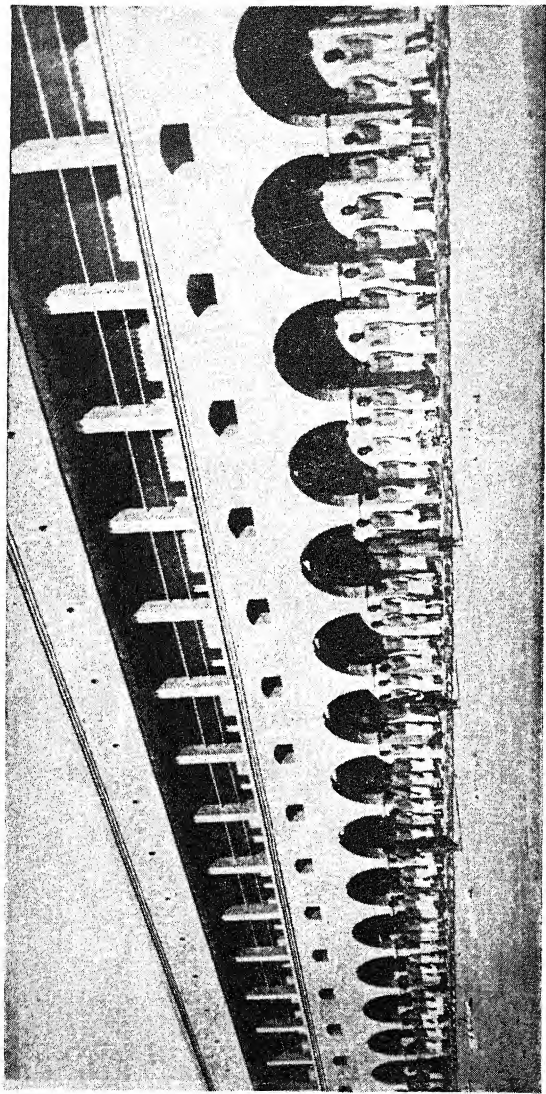
and, therefore, careful records should be kept of these measurements. The weight should, if possible, be recorded weekly in the case of those in the convalescent gangs, and fortnightly in the case of normal individuals.

If there is no improvement, the Medical Superintendent will realise that something is wrong, and the cause must be sought. A period of strict observation is required, and it will not be long before the cause is found and the necessary treatment adopted. The onset of industrial diseases must not be lost sight of. (See Chapter VII).

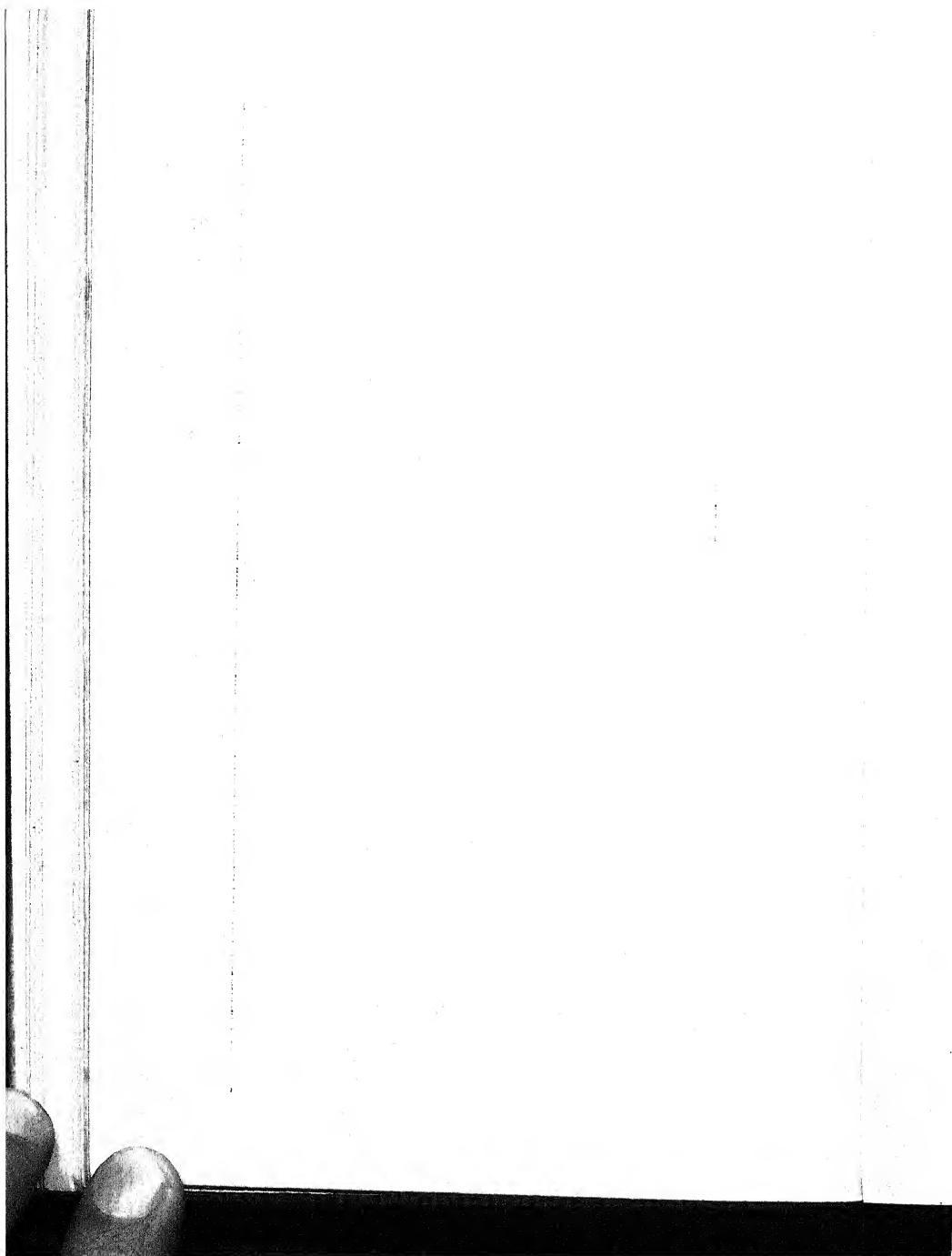
The temptation to an adolescent to sell his food or to exchange it for an extra blanket and so on is very great, and they know full well the advantage obtainable by a loss of weight. Consequently, stringent precautions must be taken at food parades that each individual gets and eats his proper ration, and it is obvious that the inspection of convalescent gangs cannot be left to medical subordinates.

Borstal inmates like adult prisoners occasionally try to render themselves unfit for labour and gain admission to hospital. One of the methods often resorted to is that of putting lime under the lower eye-lids. This causes severe acute conjunctivitis which may lead to serious results. Conjunctivitis confined to both lower lids should always arouse suspicion.

The drawing under the skin of a thread which has been previously passed through a ratti seed produces a severe form of cellulitis,



Inmates paraded for medical inspection.
Borstal Institution, Lahore.



which in some cases results in gangrene and sloughing of the tissues. The cause of the condition can only be detected in the early stage, when the points of entrance and exit of the needle can be seen. Colitis is brought on by drinking soapy water or eating croton seeds and temporary tachycardia is sometimes produced by chewing raw garlic.

A reference has already been made to the importance of inmates being trained to keep themselves and their clothes clean. Equally important is the cleanliness of their food utensils, and in rewarding marks or remission this should be taken into account as well. If necessary, careless inmates should be punished, and on no account should any inmate be allowed to appear on parade, at school or at work, in a dirty and slovenly condition.

The Assistant Superintendents in charge, and company leaders, should impress on them the fact that these habits of cleanliness and neatness are not a mere Institution regulation, but that they are enforced for their own good, and will be a great help to them in their progress in life when they are discharged, and all count towards their being released on licence, or being able to obtain good employment when they present themselves before prospective employers.

Particular attention may be paid to this part of their education in the sanitation lectures ; the lecturers should also impress on them the necessity for cleanliness with regard

to excreta and the danger of spitting and the like.

There are several books published in the vernacular which give in simple language the elements of hygiene, and these may be used as "Readers" by the more advanced or as textbooks on which the Sub-Assistant Surgeons may base their course of lectures.

Such lectures in hygiene may be combined with others on first aid, and can be made very valuable.

Those inmates who show aptitude in these subjects may afterwards be employed as ward-orderlies or dressers, and after release, obtain a suitable post in a civil hospital.

CHAPTER XI.

Investigation of cases.

It is not within the scope of this Manual to enter into a discussion on all the possible causes of adolescent delinquency but it is desirable to draw attention to the importance of the thorough investigation of individual cases with a view to finding out under what conditions an offence has been committed, and what will be the best method of treating the individual.

The penal system in India as in England and most other countries is chiefly concerned with offences rather than with offenders, but it is hoped that in the future more attention will be given to the consideration of cause, prevention, and treatment.

In his book "The Young Delinquent" Dr. Cyril Burt writes "Crime is assignable to no single source, nor yet to two or three : it springs from a wide variety and usually from a multiplicity of alternative and converging influences."

Reading this one might be inclined to think that the investigation of each case is too complicated a problem, but it is not so, if we realise that crime must be investigated in much the same way as doctors investigate the condition of their patients. The Consulting Surgeon diagnoses his cases with the aid of the X-ray specialist, the bacteriologist and so on, and similarly the courts must be helped in their investigation of the hereditary, environmental, physical, and psychological conditions related to delinquency.

The importance of such investigation is best illustrated by referring to a few cases which have been noticed in practice. For instance in the case of a prisoner who at the age of 28 years, with no previous convictions, was awaiting transportation to the Andaman Islands the past history is of interest.

It reads as follows :—"A 's father died in his childhood. His mother re-married and A became a vagabond and acquired bad habits and gradually began to commit petty thefts. He made friends with B of his village and later on committed dacoity with C who has also been sentenced to transportation for life."

Now in this case we have three conditions definitely correlated to crime, namely, defective discipline owing to the absence of a father's influence, association with persons of bad character, and a psychological condition, which has been noticed so often by psychologists in adolescent delinquency and known as the "Step-father complex."

Unfortunately this man was apparently never apprehended as a lad, but if he had been, and the case had been properly investigated, he would have been a very suitable case for detention and treatment under the Borstal Act. As noted by the police he started by committing petty thefts, and this is the type of case that is aggravated by whipping or a short sentence of imprisonment, and requires training and segregation during the period of

adolescence It is too late to wait until a lad has become a habitual offender, and in the writer's opinion "association with persons of bad character" is quite enough to justify the award of a period of detention under the Borstal Act.

On one occasion sentences of whipping were ordered in two cases of stealing.

The lad A, on enquiry, said that his father and mother were both dead, and that he was working in a shop in a bazar.

Here we have absence of parental influence, bad surroundings, and probably association with bad characters and poverty.

A case of this kind is not likely to be reformed by whipping, and it would appear that more suitable treatment would have been a period of probation under the supervision of a Probation Officer (see Chapter III), and in case of failure again, a period of detention for segregation and industrial training, under the Borstal Act.

The lad B said that he was working in a bicycle shop and earning Rs. 28 a month, adding that he had been taking tools on the instigation of a friend. The sentence of whipping in this case would probably have the desired effect and prevent a lapse in the future.

Lads may steal owing to the fact that they are too physically defective to be able to earn a livelihood. In such cases the physical defects must be remedied before the character can be cured.

Diseases may be the cause of misconduct in those who appear to be strong and healthy, as illustrated in the case of a young soldier, who was on the point of deserting his regiment stationed in India, and committing suicide. He explained that he was always being punished for some offence or other ; he had only joined up because he could not get any other form of employment in order to help in keeping his mother who was a widow. In this case again, absence of a father's influence is noted, but a more serious condition was revealed on closer examination ; the youth had a markedly enlarged thyroid gland, and there is no doubt that he broke down under the strain of regimental training.

Mental deficiency must always be excluded, but a visit to the Borstal Institution at Lahore makes one realise that this condition is not such a general cause of crime as might be supposed. Many of the inmates are backward from lack of education, but most of them are far from being mentally deficient.

At Wandsworth Prison, London, where all adolescent offenders from the London District are examined by a specialist Medical Officer, only 7 per cent. to 8 per cent. exhibit any signs of mental deficiency.

Inherited failings and weaknesses may also be conspicuous in some cases but the idea of the "Born-criminal" for whom nothing can be done must be given up. A reference to the reports of the Administration of Criminal

Tribes, Punjab, will show the wonderful effects of segregation, education and training.

In the report for 1930 we read "There are many other similar tribes who lived on the proceeds of crime and who took pride in it, but who have now turned to honest work for livelihood. Minas and Tagus, the dacoits and thugs of the Eastern Punjab whose young children practised crime, are now respectable citizens."

In the previous report for 1929 we read "It is admitted on all hands that systematic criminal operations on the part of the hereditary criminal tribes have now become a thing of the past and in the words of the criminals themselves, what the Jails could not achieve has been achieved by the Amritsar Reformatory."

These results point to the conclusion that crime in itself is not inherited, and tend to show that in suitable surroundings and under proper control even inherited weaknesses and failings can to a large extent be counter-acted by education and training.

How important it is then, in the case of adolescents, to consider what is going to be the effect of a short sentence of imprisonment, or detention under the Borstal Act.

What is wanted therefore in the first place is a report on the lad's home, his parents, his associates, his surroundings, his conditions of life, and his past history.

In London, voluntary visitors after making full enquiries, submit a report to the Governor of the Prison (Lad's Remand Section) who forwards this along with a Medical Officer's report on the lad's physical and mental condition for the information of the court.

Nowadays, it is considered desirable to have a report from a psychologist as well, and it has been suggested that the investigation of the causes of crime would be considerably helped, and would progress, if clinics could be established so that cases could be examined and thoroughly investigated quite apart from a prison atmosphere.

Investigation on these lines is, of course, the ideal system, and would probably be the most economical in the long run, for suitable treatment cannot be ordered without a correct "diagnosis" of the case.

In dealing with adolescents, we are reminded of the importance of not delaying Institutional treatment too long by the figures given in Chapter III, and also by the remarks of Dr. Cyril Burt, who after his investigations finds that "It is almost as though crime was some contagious disease to which the constitutionally susceptible were suddenly exposed at puberty and to which puberty left them particularly prone."

From this it should not be implied that all adolescents have to be segregated on the least offence, but nevertheless it must be realised that as a case of Tuberculosis of the lungs

cannot be treated and cured, if left in overcrowded and insanitary slums, so the young delinquent cannot be improved if he remains in detrimental surroundings and continues to associate with persons of bad character.

CHAPTER XII.

"After-care."

Before the Punjab Prisoners' Aid Society was founded in 1928, adult and adolescent prisoners of the Punjab, were solely dependent on the help of the Jail Superintendent and his staff if they were in any difficulties on release.

In the case of those convicted under the age of twenty-one, the ban against Government employment was removed by the Punjab Government, and, thanks to this, employment was found for many discharged inmates in some Government Department, such as the Government Printing Press or even as Jail warders.

Most of those who asked for assistance were casual offenders, and what we are concerned with here is not so much the finding of employment for inmates discharged from the "Casual or Star Section" but with the "after-care" according to Borstal System principles of those who are released "on licence" under Borstal Acts, all of which provide that after varying periods, those detained may be released "on licence."

The full sentence of the court remains in force but if the lad behaves well and makes good he is not affected in any way, provided he does not fail to comply with the terms of the licence and obey the conditions.

In England the lad is licensed to the Borstal Association the organisation which has taken

upon itself the responsibility of the "after-care" of every boy who leaves a Borstal Institution. As pointed out in Chapter II this Association is only official in that it is given a grant by the Government and derives its powers from the Prison Commissioners by the authority of Parliament.

The Association not only finds employment, but also makes all arrangements for the lad's reception at his home or in suitable lodgings. If his home is undesirable and in a dangerous district he is sent off elsewhere, and committed to the care of one of the Associates, of which there are about one thousand, in a more suitable district.

The local Associate exercises a close friendly supervision, and reports progress to headquarters.

In addition to its duties as a friend and helper the Association undertakes to see that the licence under which the lad is discharged is obeyed. The licence compels him to obtain permission before he changes his work or lodgings, to avoid bad characters, and to satisfy the Association that he is living a sober and industrious life.

If the lad fails to comply with the terms of the licence and misbehaves himself, the Association must immediately bring the matter to the notice of the Prison Commissioners who revoke his licence.

He is re-arrested and taken to the special section at Wormwood Scrubs, Prison, London, which has been set apart as a Borstal Institution for those who break their licence.

The period of discharge on licence may be looked upon as a period of convalescence following institutional treatment, and it is gratifying to note that in England 60 per cent. go through the aftertime "on licence" without a lapse, and do not come into conflict with the law again.

Such is the task of the Borstal Associates, described by Sir Evelyn Ruggles-Brise, late chairman of the Prison Commission, as "being one which must tax the courage of the boldest, the confidence in the possibilities of human nature of the most courageous, and the skill and patience of those competent to influence and reform the young."

From the above account it will be seen that the Borstal Association has taken upon itself definite responsibility, and this is the great difference between it and Discharged Prisoners' Aid Societies.

This is the answer to the question often asked "what is the use of a Borstal Association when there is a Prisoners' Aid Society?"

In the provinces in India where Borstal Acts have been passed, release "on licence" is catered for by laying down the condition that the lad be placed under the care of any Government officer, or secular institution or person,

or religious society, professing the same religion as the inmate, named in the licence, who may be willing to take charge of him.

Rules framed under the Punjab Borstal Act (see Appendix 2) provide, in Rule 40, for the appointment of a Parole Officer, but this provision for "after-care" is a very doubtful substitute for the supervision of a voluntary Borstal Associate as in England, and it is hoped that "After-Care" Societies will be formed in all provinces which have a Borstal Act, and that they will be official only in so far as they will be recognised and assisted financially by Government. The Madras Presidency has had such an Association in action for several years, and one has recently been formed and registered in the Punjab.

Funds are necessary for the formation of any After-care Association ; but as bricks and mortar do not make a Borstal Institution, so money alone cannot make a Borstal After-care Association.

It is most important that suitable employment should be found for those who are released "on licence" for it is of little value to train an inmate as a carpenter in the Institution, and to release him "on licence" to work on a Government farm if, at the end of his "After-care" period, he has no alternative but to drift back to the bazaar and live under exactly the same circumstances as before.

In these days of trade depression and financial stringency, the task of "After-care"

is not likely to be an easy one, but all those who are interested will be encouraged to learn that it is recognised by both official and non-official opinion in England that fifty per cent. of credit for successes under the Borstal System should go to the members of the Borstal Association.

In this Manual an effort has been made to emphasise the vast difference between Borstal training and imprisonment, and it cannot be concluded in a more fitting manner than by quoting the inscription on the gate-way of Borstal in honour of the Founder.

“He determined to save the young and careless from a wasted life of crime. Through his vision and persistence, a system of repression has been gradually replaced by one of leading and training. We shall remember him as one who believed in his fellowmen.”

APPENDIX I.

PUNJAB ACT No. XI OF 1926.

THE PUNJAB BORSTAL ACT, 1926.

(Received the assent of the Governor on the 22nd July 1926 and that of the Governor-General on the 16th August 1926 and was first published in the Punjab Government Gazette of the 27th August 1926.)

AN ACT TO MAKE PROVISION FOR THE ESTABLISHMENT AND REGULATION OF BORSTAL INSTITUTIONS IN THE PUNJAB AND FOR THE DETENTION AND TRAINING OF ADOLESCENT OFFENDERS THEREIN.

WHEREAS it is expedient to make pro- Preamble.
vision for the establishment and regulation of Borstal Institutions in the Punjab and for the detention and training of adolescent offenders therein; and whereas the previous sanction of the Governor-General under sub-section (3) of section 80-A of the Government of India Act has been obtained, it is hereby enacted as follows :—

1. (1) This Act may be called the Punjab Borstal Act, 1926. Short title,
extent and
commence-
ment.
- (2) It extends to the Punjab.
- (3) It shall come into force on such date as the Local Government may by notification appoint in this behalf.

Definitions.

2. In this Act unless there is anything repugnant in the subject or context,—

(1) “Borstal Institution” means a place in which offenders may be detained under this Act and given such industrial training and other instruction and subjected to such disciplinary and moral influences as will conduce to their reformation ;

(2) “detained” means detained in, and “detention” means detention in a Borstal Institution ;

(3) “inmate” means any person ordered to be detained ;

(4) “offence” means—

(i) an offence punishable with transportation or rigorous imprisonment under the Indian Penal Code other than—

(a) an offence punishable with death ;

(b) an offence punishable under Chapter V-A or Chapter VI of the said Code ;

(ii) an offence punishable with imprisonment under the Public Gambling Act, 1867 ; III of 1867.

(iii) an offence punishable with imprisonment under the Opium Act, 1878 ; I of 1878.

(iv) an offence punishable with imprisonment under the Punjab Excise Act, 1914 ; Punjab Act, I of 1914

(5) "officer" means an officer of a Borstal Institution appointed in such manner as may be prescribed ;

(6) "prescribed" means prescribed by rules made by the Local Government under the provisions of this Act ;

(7) "security for good behaviour" means security for good behaviour otherwise than for political activities under section 109 or section 110 of the Code of Criminal Procedure, 1898 ;

7 of
1898 .

(8) "Superintendent" means a Superintendent of a Borstal Institution appointed in such manner as may be prescribed.

3. For the purposes of this Act the Local Government may establish one or more Borstal Institutions. Establishment of Borstal Institutions.

4. (1) The Local Government shall appoint any person, not being a police officer, to be Director of Borstal Institutions, and he shall exercise, subject to the orders of the Local Government, general control and superintendence of all Borstal Institutions. Appointment of Director of Borstal Institutions, officers and visiting committee.

(2) For every Borstal Institution the Local Government shall appoint a Superintendent, and such other officers as may be necessary.

(3) For every Borstal Institution a visiting committee shall be appointed in such manner as may be prescribed.

Powers of
courts to pass
a sentence of
detention in a
Borstal Insti-
tution in the
case of a
convict under
twenty-one
years of age
in lieu of
transporta-
tion or rigo-
rous impri-
sonment.

5. (1) When any male person less than twenty-one years of age is convicted of an offence by a court of sessions, a Magistrate specially empowered under section 30, of the Code of Criminal Procedure, 1898, or a Magistrate of the first class, or is ordered to give security for good behaviour and fails to give such security, and when by reason of his criminal habits or tendencies or associations with persons of bad character it is expedient, in the opinion of the Judge or Magistrate, that he should be detained, such Judge or Magistrate may, in lieu of passing a sentence of transportation or rigorous imprisonment, pass an order of detention for a term which shall not be less than two years and shall not exceed seven years when the order is passed by a court of sessions or a Magistrate specially empowered under section 30 of the Code of Criminal Procedure, 1898, and shall not be less than two years nor exceed three years, when the order is passed by a Magistrate of the first class not so empowered.

(2) When any Magistrate, not empowered to pass such order, is of opinion that an offender convicted by him is a person in respect of whom such orders should be passed in accordance with the provisions of sub-section (1) he may, without passing any sentence, record such opinion and submit his proceedings and forward the accused to the District Magistrate to whom he is subordinate.

(3) The District Magistrate to whom the proceedings are so submitted may make such further enquiry (if any) as he

may deem fit and pass such order for the detention of the offender or such other sentence or order, as he might have passed if the trial had been held by him from its commencement.

6. When any male person less than twenty-one years of age has been sentenced for an offence by a Magistrate to rigorous imprisonment, or when ordered by a Magistrate to give security for good behaviour has failed to give such security, and has been committed to or confined in prison and no appeal has been preferred against such sentence or order within the time prescribed by law and when by reason of such person's criminal habits or tendencies or association with persons of bad character it is expedient, in the opinion of the District Magistrate, that he should be detained, the District Magistrate may order that such person shall in lieu of undergoing imprisonment be detained for a period not less than two years nor more than three years.

Special
powers of
District
Magistrates.

7. If it appears to the Local Government that any male person less than twenty-one years of age who having been sentenced to rigorous imprisonment for an offence or having been committed to or confined in prison for failing to give security for good behaviour is at the time of the commencement of this Act confined in the Lahore Borstal Jail, should for the reasons described in sub-section (1) of section 5 be detained, the Local Government may direct that he be detained for a period not exceeding the residue of his sentence or of the period for

Detention of
prisoners
confined in
the Lahore
Borstal Jail.

which security was required, as the case may be, provided that such order shall be subject as regards the period of detention to any order passed on appeal against or revision of the sentence or order of commitment or confinement in prison.

Power of Superintendent of Jail to present prisoner less than 21 years of age before District Magistrate for detention in a Borstal Institution.

8. Whenever it appears to the Superintendent of a Jail that any male person less than twenty-one years of age sentenced to transportation or rigorous imprisonment for an offence or committed to or confined in prison for failing to give security for good behaviour should for the reasons described in sub-section (1) of section 5 be detained, he shall cause such prisoner to be produced before the District Magistrate in whose jurisdiction the Jail is situated, and if the District Magistrate after making such enquiry as he may deem proper or as may be prescribed is satisfied that the prisoner should for the reasons described in the said sub-section be detained, he may order the prisoner to be removed from jail and detained for a period equal to the unexpired term of the transportation or imprisonment to which he was sentenced, or of the period, for which security was required from him, as the case may be.

When action may not be taken under section 8.

9. No orders shall be made under the provisions of section 8—

- (i) until the time allowed by law for the prisoner to appeal has expired or if an appeal has been preferred until such appeal has been finally decided; or

(ii) if an application made on appeal or otherwise to have the sentence altered into an order of detention, has been rejected by an Appellate Court or the High Court ; or

(iii) in the case of any person who has been sent to a Reformatory School in accordance with the provisions of the Reformatory Schools Act, 1897.

VIII
of
1898.

V of
1897.
IX of
1908.

10. (1) Subject to the provisions of sub-section (2) of this section the provisions of the Code of Criminal Procedure, 1898, relating to appeal, reference and revision and Articles 154 and 155 of the Indian Limitation Act, 1908, shall apply in the case of an order of detention passed under section 5 as if the order had been a sentence of imprisonment for the same period as the period for which detention was ordered.

Application
of the Code of
Criminal Pro-
cedure, 1898;
and the In-
dian Limita-
tion Act,
1908, and
provisions for
appeal and
revision.

(2) Notwithstanding anything contained in section 423 of the Code of Criminal Procedure, 1898, when a person who at the time of his conviction was less than twenty-one years of age has been convicted of an offence, or when such person on being ordered to furnish security for good behaviour has failed to furnish such security, an appellate court or the High Court in the exercise of its powers of revision, may in pursuance of sub-section (1) and the provisions of the Code of Criminal Procedure, 1898, and after making such inquiry as it may deem fit, alter a sentence of imprisonment or an order of commitment to prison

under section 123 of the Code of Criminal Procedure to an order of detention, if for reasons described in sub-section (1) of section 5, it considers such alteration expedient, and may alter an order of detention to a sentence of imprisonment or an order of commitment to prison under section 123 of the Code of Criminal Procedure, as the case may be, provided that the sentence of imprisonment, order of commitment, or order of detention, shall not be in excess of the powers of the trial Magistrate or Court.

(3) Any person who has been ordered to be detained in a Borstal Institution under the provisions of section 6 for a period to expire after the term of imprisonment to which he was sentenced would expire had the order not been passed, may, subject to the provisions of sub-section (5), appeal to the Sessions Judge, and the Sessions Judge may either confirm the order or set it aside and restore the sentence of imprisonment or if the order is for more than two years reduce it to a term not shorter than two years nor shorter than the residue of imprisonment to which the offender was sentenced.

(4) Any person ordered by a Sessions Judge under the provision of sub-section (3) to be detained for a period to expire after the term of imprisonment to which he was sentenced would expire had such order not been passed, may, subject to the provisions of sub-section (5), appeal within thirty days of the order to the High Court and the High Court may pass any such order as the Sessions Judge might have passed.

(5) An appeal shall not lie under sub-section (3) or sub-section (4) against a conviction or on any finding of fact but only on the ground that the order appealed against is illegal, or unduly severe.

11. No person who has been previously detained for the whole period prescribed in an order of detention or who has been transferred to jail under section 20 of this Act, shall again be ordered to be detained.

No person who has been once detained to be detained again.

12. Any person detained for failure to furnish security shall be released on furnishing such security.

Release on furnishing security.

13. (1) Before passing an order of detention under this Act the Magistrate, District Magistrate or Court, as the case may be, shall enquire or cause enquiry to be made into the question of the age of the offender, and after taking such evidence (if any) as may be deemed necessary or proper shall record a finding thereon.

Enquiry to be made regarding the age of the offender before the passing of an order of detention.

(2) A similar enquiry shall be made and finding recorded by every magistrate not empowered to pass an order of detention under this Act before submitting his proceedings and forwarding the accused to the District Magistrate as required by the sub-section (2) of section 5 of this Act.

14. When any Magistrate, District Magistrate or Court orders an offender to be detained he or it, as the case may be, shall record the grounds of his or its opinion that it is expedient that the offender be detained.

Magistrate to give grounds of his opinion before ordering detention.

Power to re-
lease on
license.

15. Subject to any general or special directions of the Local Government, the Visiting Committee with the sanction of the Director of Borstal Institutions may at any time after the expiration of one-third of the period of detention, or of two years, whichever is shorter, if satisfied that the inmate is likely to abstain from crime, and lead a useful and industrial life, by license permit him to be discharged from the Borstal Institution on condition that he be placed under the supervision or authority of any Government officer or (secular) institution or person or religious society (professing the same religion as the inmate) named in the license who may be willing to take charge of him. A license granted under this section shall be in force until the term for which the inmate was ordered to be detained has expired unless sooner suspended, revoked or forfeited.

Absence un-
der license to
be counted
towards
period of de-
tention.

16. The time during which an inmate is absent under license from a Borstal Institution shall be reckoned as part of the period of detention.

Form of
license.

17. Every license granted under the provisions of section 15 shall be in such form and shall contain such conditions as the Local Government may, by general or special order, direct.

Suspension
and revoca-
tion of licen-
ses.

18. Subject to any general or special directions of the Local Government, a license granted under section 15 may be suspended for a period not exceeding three months by the Superintendent of a Borstal

Institution or revoked at any time by the Visiting Committee on the recommendation of the Director of Borstal Institutions. Where the license of any inmate has been suspended or revoked he shall return to the Borstal Institution, and if he fails to do so he may be arrested without warrant and taken to the Institution.

19. If any inmate escapes from a ^{Penalty for} Borstal Institution before the expiry of ^{escape.} the period for which he was ordered to be detained or if any inmate absent on license from a Borstal Institution escapes from the supervision or authority of any Government officer or (secular) institution or person or religious society in whose charge he was placed or fails on the suspension or revocation of his license to return to the Borstal Institution, he may on conviction by a magistrate be punished with imprisonment of either description for a term which may extend to two years or with fine or with both, and his license shall be forfeited with effect from the date of his escape or failure to return, as the case may be.

An offence under this section shall be deemed to be a cognizable offence within the definition of that term in the Code of Criminal Procedure, 1898.

20. Where an inmate is reported to the ^{Incorrigibles.} Local Government by the Visiting Committee to be incorrigible or to be exercising a bad influence on the other inmates of the institution or is convicted under section 19 of this Act, or is reported by the

Superintendent to have committed an offence which has been declared to be a Major Borstal Institution offence by rules made by the Local Government in pursuance of the provisions of sub-section (14) of section 34 of this Act, the Local Government may commute the residue of the term of detention to such term of imprisonment of either description not exceeding such residue as the Local Government may direct, and may order the transfer of the inmate to any jail in the Punjab in order to complete the said term of imprisonment.

Inmates appointed officers to be public servants.

21. Inmates who have been appointed as officers shall be deemed to be public servants within the definition of that term in the Indian Penal Code.

Extra-mural custody, control and employment of inmates.

22. An inmate when being taken to or from any Borstal Institution in which he may be lawfully detained or whenever he is working outside or is otherwise beyond the limits of any such Borstal Institution in or under the lawful custody or control of an officer belonging to such Borstal Institution shall be deemed to be under detention and shall be subject to all the same incidents as if he were actually in a Borstal Institution.

Penalty for introduction or removal of prohibited articles into or from Borstal Institutions and communication with inmates.

23. Whoever, contrary to any rule under section 34, introduces or removes, or attempts by any means whatever to introduce or remove, into or from any Borstal Institution, or supplies or attempts to supply to any inmate outside the limits of such Institution any prohibited articles,

and every officer of a Borstal Institution who, contrary to such rule, knowingly suffers any such article to be introduced into or removed from any Borstal Institution to be possessed by any inmate, or to be supplied to any inmate outside the limits of Borstal Institution,

and whoever contrary to any such rule communicates or attempts to communicate with any inmate,

and whoever abets any offence made punishable by this section,

shall, on conviction before a Magistrate, be liable to imprisonment for a term not exceeding six months or to fine not exceeding two hundred rupees or to both.

24. When any person, in the presence of any officer of a Borstal Institution commits any offence specified in the last foregoing section, and refuses on demand of such officer to state his name and residence, or gives a name or residence which such officer knows, or has reason to believe, to be false, such officer may arrest him, and shall without unnecessary delay make him over to a Police officer, and thereupon such Police officer shall proceed as if the offence had been committed in his presence.

Power to
arrest for
offences
under sec-
tion 23.

25. The Superintendent shall cause to be affixed, in a conspicuous place outside the Borstal Institution, a notice in English and the vernacular setting forth the acts

Publication of
penalties.

prohibited under section 23 and the penalties incurred by their commission.

Officers-in-charge of Borstal Institutions to detain persons duly committed to their custody.

26. The officer-in-charge of a Borstal Institution shall receive and detain all persons duly committed to his custody under this Act according to the directions contained in the order by which such person has been committed or until such person is discharged or removed in due course of law.

Officers-in-charge of Borstal Institutions to return orders, etc., after execution or discharge.

27. The officer-in-charge of a Borstal Institution shall forthwith, after the execution of every such order as aforesaid or after the discharge of the person committed thereby, return such order to the Magistrate, District Magistrate or Court by which the same was issued or made, together with a certificate, endorsed thereon and signed by him, showing how the same has been executed, or why the person committed thereby has been discharged from detention before the execution thereof.

Powers for officers-in-charge of Borstal Institutions to give effect to orders of certain courts.

28. (1) Officers-in-charge of Borstal Institutions may give effect to any order for the detention of any person passed or issued—

(a) by any Court or tribunal acting whether within or without British India, under the general or special authority of His Majesty, or of the Governor-General in Council, or of any Local Government ; or

(b) by any Court or tribunal in the territories of any Native Prince or State in India—

(i) if the presiding Judge, or if the Court or tribunal consists of two or more Judges, at least one of the Judges, is an officer of the British Government authorized to sit as such Judge by the Native Prince or State or by the Governor-General in Council, and

(ii) if the reception, or detention in British India or in any province of British India of persons ordered to be detained by any such Court or tribunal has been authorized by general or special order by the Governor-General in Council or the Local Government as the case may be ; or

(c) by any other Court or tribunal in the territories of any Native Prince or State in India, with the previous sanction of the Governor-General in Council or of the Local Government in the case of each such order.

(2) Where a Court or tribunal of such a Native Prince or State has passed an order which cannot be executed without the concurrence of an officer of the British Government, and such order has been considered

on the merits and confirmed by any such officer specially authorised in that behalf, such order and any order issued in pursuance thereof, shall be deemed to be the order of a Court or tribunal acting under the authority of the Governor-General in Council.

Warrant of officers of such Courts to be sufficient authority.

29. An order under the official signature of an officer of such Court or tribunal as is referred to in section 28 shall be sufficient authority for detaining any person, in pursuance of the order passed upon him.

Procedure where officer-in-charge of Borstal Institution doubts the legality of order sent to him for execution.

30. (1) Where an officer in charge of a Borstal Institution doubts the legality of an order sent to him for execution or the competency of the person whose official seal or signature is affixed thereto to pass the order, and shall refer the matter to the Local Government by whose order on the case he and all other public officers shall be guided as to the future disposal of the inmates.

(2) Pending a reference made under sub-section (1), the inmate shall be detained in such manner and with such restrictions or mitigations as may be specified in the warrant or order.

Lunatic inmates, how to be dealt with.

31. (1) Where it appears to the Local Government that any person detained under any order is of unsound mind, the Local Government may order his removal to a lunatic asylum or other place of safe custody within the Province, there to be kept and treated as the Local Government directs during the remainder of the term for which

he has been ordered to be detained, or, if on the expiration of that term it is certified by a medical officer that it is necessary for the safety of the inmate or others that he should be further detained under medical care or treatment, then until he is discharged according to law.

(2) Where it appears to the Local Government that an inmate so kept and treated has become of sound mind, the Local Government shall, by a warrant directed to the person having charge of the inmate, if still liable to be detained, remand him to the Borstal Institution from which he was removed, or to another Borstal Institution within the province, or, if he is no longer liable to be detained, order him to be discharged.

IV of
1912.

(3) The provisions of section 31 of the Indian Lunacy Act, 1912, shall apply to every person confined in a lunatic asylum under sub-section (1) after the expiration of the term for which he was ordered to be detained; and the time during which an inmate is confined in a lunatic asylum under that sub-section shall be reckoned as part of the term of detention which he may have been ordered to undergo.

(4) In any case in which a Local Government is competent under sub-section (1) to order the removal of an inmate to a lunatic asylum or other place of safe custody within the Province, the Local Government may order his removal to any such asylum or place within any other Province or within the terri-

tories of any Native Prince or State in India by agreement with the Local Government of such other Province or with such Native Prince or State, as the case may be, and the provisions of this section respecting the custody, detention, remand and discharge of an inmate removed under sub-section (1) shall, so far as they can be made applicable, apply to an inmate removed under this sub-section.

Application
to Borstal In-
stitution of
certain pro-
visions of the
Prisons Act,
1894, and the
Prisoners
Act, 1900.

32. Subject to the provision of section 33 of this Act, the provisions of section 12 and Chapter XI of the Prisons Act, 1894, IX of and of sections 35 to 50 (inclusive) and the 1894. rules made by the Local Government or the Governor-General under section 51 of the Prisoners Act, 1900, shall apply as far as III of may be to Borstal Institutions established 1900 under this Act, and all reference to prisoners, imprisonment or confinement in the said sections, chapters and rules shall be construed as referring to inmates, Borstal Institutions and detention.

How punish-
ment of whip-
ping may be
inflicted on
an inmate.

33. For the purpose of punishing Borstal Institution offences, whipping shall be inflicted upon the palm of the hand only.

Power to
make rules
under the
Act.

34. The Local Government may make rules after previous publication consistent with this Act—

(1) for the regulation, management and classification of Borstal Institutions established under this Act and the description and construction of wards, cells and other places of detention ;

(2) for the regulation by number or otherwise of the inmates to be detained in each class of institution ;

(3) for defining the powers and duties of the Director of Borstal Institutions ;

(4) for the Government of Borstal Institutions, and the appointment, guidance, control, punishment and dismissal of Superintendents and other officers employed in Borstal Institutions, and for the defining of their responsibilities, duties, disabilities and powers ;

(5) for the maintenance of records, and the preparation and submission of reports ;

(6) for the selection and appointment of inmates as inmate officers and their reduction and dismissal and for defining the responsibilities, duties and powers of such officers ;

(7) for the temporary detention of inmates until arrangements can be made for their admission to Borstal Institutions ;

(8) for the admission, removal and discharge of inmates, and for the disposal of their effects during their detention ;

(9) for feeding, clothing and bedding of inmates ;

(10) for the custody, discipline, grading, treatment, education, training and control of inmates ;

(11) for the employment, instruction and control of inmates within or without Borstal Institutions, the disposal of the proceeds of their labour ;

- (12) for the treatment of sick inmates ;
- (13) for classifying and prescribing the forms of education, instruction, employment and labour and regulating the periods of rest ;
- (14) (i) for defining the acts, which shall constitute Borstal Institution offences ;
- (ii) for determining the classification of Borstal Institution offences into major and minor offences ;
- (iii) for fixing the punishments admissible under this Act which shall be awardable for commission of Borstal Institution offences or classes thereof ;
- (iv) for declaring the circumstances in which acts constituting both a Borstal Institution offence and an offence under the Indian Penal Code may or may not be dealt with as Borstal Institution offence ;
- (v) for the award of marks and the shortening of periods of detention ;
- (vi) for regulating the use of arms against any inmate or body of inmates and the use of fetters in the case of an outbreak or attempt to escape ;
- (vii) for defining the circumstances and regulating the conditions under which inmates in danger of death may be released ;
- (viii) for regulating the transfer from one part of British India to another of inmates whose term of detention is about to expire ;
- (15) for defining articles the introduction or removal of which into or out of Borstal Institutions without due authority is prohibited ;

(16) for the classification and the separation of inmates ;

(17) for rewards for good conduct ;

(18) for regulating the transfer of inmate from one Borstal Institution to another or to an Hospital, or Asylum and from a Borstal Institution to a prison, or from a prison to a Borstal Institution ;

(19) for the treatment, transfer and disposal of criminal lunatics or recovered criminal lunatics confined in Borstal Institutions ;

(20) for regulating the transmission of appeals and petitions from inmates and their communications with their friends ;

(21) for the appointment and guidance of visitors of Borstal Institutions ;

(22) for prescribing conditions on which licenses may be granted, suspended, revoked or cancelled ;

(23) for the appointment, powers, and control of parole officers ;

(24) for defining the powers and duties of after-care societies and guardians and the conditions on which financial assistance may be given to them ;

(25) for the appointment of visiting committees, and

(26) generally for all purposes consistent with this Act.

Powers of
the Govern-
or-in-Council
to vary age
limit, and
to apply the
Act to
females.

35. The Governor-in-Council after giving by notification in the official Gazette not less than three months' notice of his intention to do so may, by like notification,—

(1) direct that the provisions of sections 5, 6 and 8 shall extend to persons under such age not less than twenty-one nor more than twenty-three as may be specified in the direction, and upon such direction being notified the said sections shall whilst the direction is in force have effect as if the specified age were substituted for "twenty-one;"

(2) direct that the provisions of sections 5, 6 and 8 shall extend to females, and upon such direction being notified the said sections shall whilst the direction is in force have effect as if the word "male" were omitted.

Whipping not
to be inflicted
on females.

36. Notwithstanding the provisions of clause (2) of section 35 the punishment of whipping shall not at any time be inflicted upon a female for a Borstal Institution offence.

APPENDIX II.

HOME DEPARTMENT.

JAILS.

The 12th July 1932.

No. 25749.—With reference to Punjab Government notification No. 392 (H.—Jails), dated the 5th January 1932, and in exercise of the powers conferred by section 34 of the Punjab Borstal Act, 1926, the Governor in Council is pleased to make the following rules which will come into force on the 1st August 1932 :—

RULES.

1. These Rules may be called the Punjab Borstal Rules. Short title.
2. In these rules, unless there is any-
thing repugnant in the subject or con-
text :—Definitions.
 - (i) “The Act” means the “Punjab Borstal Act, 1926.”
 - (ii) “The Director” means “the Director of Borstal Institutions.”
3. The Local Government may declare by notification any place intended for the detention of offenders to be a Borstal Institution under the Act. Local Gov-
ernment to
declare a
Borstal Insti-
tution.
4. (1) There shall be two sections of a Borstal Institution, namely :—Sections of a
Borstal In-
stitution and
number of
inmates to be
detained in a
Borstal In-
stitution.
 - (a) for the detention of habitual adolescent offenders with definite criminal tendencies,

(b) for the detention of habitual post-adolescent offenders with definite criminal tendencies.

(2) Except with the special sanction of the Local Government, which will be granted very sparingly and only for urgent reasons of administrative necessity, not more than 500 inmates shall be detained in any Borstal Institution.

Powers and duties of the Director, the government of Borstal Institutions, and the reports to be submitted by him.

5. (1) In the exercise of the control over Borstal Institutions, the Director shall have the same powers and duties as the Inspector-General of Prisons has in the control of prisons except in so far as they are inconsistent with the Act.

(2) The Director shall be generally responsible for the government of Borstal Institutions in accordance with the provisions of the Act and these rules, and he shall as soon after the close of each calendar year as possible and not later than the 1st day of May in each year submit to the Local Government a report on the administration of Borstal Institutions, together with such statistical and other statements, returns and information, and in such form as the Local Government may from time to time by executive direction require.

Superintendent and other officials to be subject to rules in the Punjab Jail Manual in certain respects.

6. The Superintendent and other officials of Borstal Institutions shall be subject to the rules laid down in the Punjab Jail Manual, relating to their appointment, guidance, control, punishment and dismissal, and also in the matter of their responsibilities, duties and disabilities except

in so far as they are inconsistent with the Act.

7. The Superintendent shall have the same powers and duties as the Superintendent of a Jail has under the Punjab Jail Manual except in so far as they are inconsistent with the Act. He shall, subject to the orders of the Director, manage the Borstal Institution in all matters relating to training, discipline, punishment, control and expenditure in accordance with the provisions of the Act and these rules.

Duties and powers of a Superintendent and his responsibility for the proper management of the Borstal Institution.

8. The Superintendent shall be responsible for the maintenance of records and registers and for the preparation and submission of reports and returns required under the Act and these rules or as may be ordered from time to time by the Local Government.

Maintenance of records and preparation and submission of reports.

9. Subject to the sanction of the Local Government the Director shall prescribe in respect of each grade of inmates and season a scale or scales for diet, clothing and bedding and may also prescribe uniforms for each grade.

Feeding, clothing and bedding.

He shall also prescribe good conduct and other badges of distinctive tokens to be worn on the clothing.

10. (1) Whenever an inmate is admitted into a Borstal Institution he shall be searched and all weapons and prohibited articles shall be taken from him.

Admission, removal and discharge of inmates and disposal of their effects during their detention.

(2) Every inmate shall also, as soon as possible after his admission, be examined by the Visiting Medical Officer, who shall enter or cause to be entered in a book to be kept for the purpose, a record of the state of the inmate's health, vaccination and of any wounds or marks on his person and any observations which the Medical Officer thinks fit to add.

(3) All money and other articles in respect whereof no order of a competent Court has been made and which may with proper authority be brought into the Borstal Institution by any inmate or sent to the Institution for his use shall be placed in the custody of the Deputy Superintendent or other Borstal Institution Officer who may be entrusted with this duty by the Superintendent.

(4) All inmates previous to being removed to any other Borstal Institution or prison should be examined by the Visiting Medical Officer.

(5) No inmate should be removed from one Borstal Institution to another or to a prison unless the Visiting Medical Officer certifies that the inmate is free from any illness rendering him unfit for removal.

(6) No inmate should be discharged against his will from a Borstal Institution if labouring under acute or dangerous distemper, nor until, in the opinion of the Visiting Medical Officer, such discharge is safe.

11. An adolescent offender, who has been directed by a Court or Magistrate, duly empowered in that behalf, to be detained in a Borstal Institution, but for whom accommodation is not immediately available in any of the Borstal Institutions in the Province, may be sent for detention to the Adolescent Jail or if this is full to the nearest Central or District Jail, where he shall be detained in the ward reserved for adolescents and treated as far as possible as an inmate of a Borstal Institution till accommodation becomes available in any such Institution.

Temporary
detention of
inmates
pending ad-
mission in a
Borstal In-
stitution.

12. An adolescent offender will, on completing the age of 21, normally be transferred to the post-adolescent section of the Institution ; provided that if, in the opinion of the Medical Superintendent or Medical Officer of the Institution, the inmate is physically or mentally still under-developed and adolescent he may, by special order of the Superintendent, be retained in the adolescent section up to the age of 24.

Post-adolescent offenders shall be subject to the same rules and training as ordinary adolescents. They will, however, be allotted a separate enclosure of the Institution, and will be kept there for sleep, rest and meals. They are permitted to associate, under supervision, with ordinary Borstal adolescents for drill, education, work and games.

On transfer from the adolescent to the post adolescent section they will retain their grade and any other rank to which they

may have been promoted. They may also be promoted in grade or rank after transfer to the post-adolescent section.

Post-adolescents are eligible for appointment as inmate officials, work overseers drill or games instructors and Scout Patrol leaders, and will associate with adolescents in the execution of these duties.

Grading,
classification
and
treatment of
inmates.

13. (a) The inmates of a Borstal Institution shall be divided by the Superintendent into grades according to their industry and good conduct.

(b) There shall be five such grades, namely :—

- (1) Penal Grade.
- (2) Ordinary Grade.
- (3) Special Grade.
- (4) Star Grade.
- (5) Monitor Grade.

(c) All inmates on reception will be placed in the Ordinary Grade. Promotion should be regulated by close personal observation of the inmates, attention being specially paid to their general behaviour, amenability to discipline and the attention to instructions both literary and industrial.

(d) An inmate will remain in the Ordinary Grade for at least six months.

During this time he shall be employed on hard labour, as far as possible, in connection with the trade which he is desirous of learning and suitable for his intelligence, caste, etc.

He should be carefully observed by the staff, with special reference to his character, mental disposition, aptitude, and fitness for the trade allotted.

(e) Where an inmate is believed to be exercising a bad influence, he will be placed by the Superintendent in the Penal Grade for such period as the Superintendent considers necessary in the interest of the inmate himself or of the other inmates. While in this grade, an inmate shall be employed in separation on hard and laborious work and shall forfeit all privileges. The Superintendent should record in his journal particulars of the case of every inmate ordered by him to be placed in the Penal Grade with the reasons for such order and stating the period during which the inmate is to remain so placed, but in no case shall an inmate be placed in the Penal Grade for a period longer than three months without the special sanction of the Director.

(f) If the inmate had previously been in the Special, Star, or Monitor Grade, he shall not be restored thereto without passing through a period of probation in the lower grades for such periods as the Superintendent may determine.

(g) If an inmate is, in the opinion of the Superintendent, guilty of any offence other than that described in Rule 28 he may take action according to Rule 29 or may place him in the Penal Grade for such period as he deems necessary: provided that without the special sanction of the Director

as laid down in sub-rule (e) such period shall not exceed three months at a time.

Separate sleeping accommodation, water-supply and sanitary and other arrangements.

14. (I) Every Institution will, so far as possible, provide—

- (a) sufficient means of separating the inmates in single cubicles at night ;
- (b) adequate accommodation for post adolescents, separate from that for adolescents ;
- (c) proper sanitary arrangement, water-supply, food, clothing and bedding for the inmates detained therein ;
- (d) the means of giving such inmates industrial training ;
- (e) barracks or other suitable buildings to be used as a school for imparting education to inmates ;
- (f) proper segregation wards for the quarantine of newly admitted inmates ;
- (g) an infirmary, hospital, or proper place for the treatment of the sick ;
- (h) proper infectious diseases ward or wards.

(2) Each cubicle should have a verandah or open enclosure in front of it.

(3) The quarantine yard and the infectious diseases ward referred to in clauses (f) and (h), respectively, of sub-rule (1) above should have, as far as possible,

direct communication with the hospital yard in order that the cases of illness be removed direct to and from the hospital without entering any other part of the Borstal Institution.

15. (1) Every newly admitted inmate will be allowed reasonable facilities for seeing or communicating with his relatives or intimate friends with a view to the preparation of an appeal or to procuring bail and will also be allowed to have interviews or write letters to his friends once or twice a month or oftener, if the Superintendent considers it necessary, to enable him to arrange for the management of his property or other family matters.

Interviews
and com-
munications
with inmates.

(2) Every inmate ordered to be detained in a Borstal Institution in default or furnishing security for good behaviour will be allowed to communicate by letter and have interviews at any reasonable time with his relations or friends for the purpose of arranging for the furnishing of security.

(3) In addition to the privileges mentioned in sub-rules (1) and (2) above, every inmate will be allowed to have an interview with his relatives or friends and to write and receive a letter as given below :—

- (a) In the Ordinary Grade two interviews in the first month of his detention, and thereafter once in two months.
- (b) In the Special Grade once in a month and-a-half.

(c) In the Star Grade once in a month.

(d) In the Monitor Grade once in a fortnight.

Provided that the exercise of this privilege will be contingent on good conduct and may be withdrawn or postponed by the Superintendent for bad conduct.

NOTE.—(i) A letter merely arranging an interview will not be counted as a letter for the purpose of this rule.

NOTE.—(ii) An inmate may, with the permission of the Superintendent, substitute a letter with reply for an interview or *vice versa*.

(4) The Superintendent may at his discretion grant interviews or allow the despatch or receipt of letters at shorter intervals than provided in sub-rule (3) or in spite of the inmate's misconduct, if he considers that special or urgent grounds exist for such concession, as for example in the event of an inmate being seriously ill, or on the occurrence of the death of a near relative, or if the friends or relatives may come from a distance to see the inmate and it would inflict an undue hardship on them to refuse interview, or if the inmate is nearing release and wishes to secure employment, or for other sufficient cause. Matters of importance such as the death of a relative may also be communicated at any time by the friends of an inmate to the Superintendent, who will, if he thinks it expedient, inform the inmate of the substance of the communication.

(5) No inmate should be allowed to have an interview or to receive or write a letter, except with the permission of the Superintendent, which shall be recorded in writing.

(6) Applications for interviews with inmates may be oral or in writing at the discretion of the Superintendent. If the inmate is not entitled to an interview, the applicant will be informed at once unless the Superintendent has decided to grant the interview under sub-rule (4).

(7) The Superintendent should not allow any visit from any person whom he thinks likely to exercise an undesirable influence upon the inmate.

(8) The time allowed for an interview shall not ordinarily exceed 20 minutes, but may be extended by the Superintendent at his discretion.

(9) Every visit should take place in the presence, but not within the hearing, of a Borstal official, who shall, if he observes anything unusual and irregular, at once put an end to the visit and immediately make a report to the Superintendent.

NOTE.—The term "friend or relative" as applied to a prospective interviewer of inmates and as occurring in Rule 15 is to be literally and strictly interpreted, that is to say, no one should be allowed an interview with an inmate, who is entitled under the rules to interview, unless he can submit proof of a personal and intimate acquaintance or of near relationship. In the case of a relative the nature of relationship should be ascertained.

Superintendent's discretion in the matter of perusal and disposal of letters.

16. (1) The Superintendent may peruse every letter written by or addressed to an inmate and may for any reason that he considers sufficient refuse to issue or deliver any such letter and may destroy the same after informing the inmate concerned.

(2) If a letter is addressed to an inmate who is not entitled under the rules to receive it, it may, unless the Superintendent decides to allow the receipt thereof by the inmate concerned, under sub-rule (4) of Rule 15, be withheld and kept in Superintendent's custody until the inmate is entitled to receive it or is discharged when it shall be delivered to him or it may be returned to the sender with an intimation that the inmate is not entitled to receive it.

Notice of serious illness or death of inmates to their parents or close relations.

17. The parents of the inmates or the persons, most closely connected with them should, if their address is known, be informed by the Superintendent of any serious illness or of the death of the inmates.

Superintendent to answer reasonable inquiries regarding inmates.

18. The Superintendent should answer any reasonable enquiries made by any person interested in any inmate.

Custody of inmates and keys.

19. (1) All inmates should be kept at night in cubicles, in which they shall be locked up at locking up time, and it shall be one of the special duties of the night warders to see that the inmates when in the cubicles do not talk or communicate with one another.

(2) The Superintendent should make arrangements to keep the keys of the cubicles in such a manner that they shall be immediately accessible at all times.

(3) The cubicles should be unlocked at 5 A.M., in the summer (April to September) and 7 A.M. in the winter, when the roll will be called and the inmates will be paraded. The precise time for locking up of the cubicles will be left to the discretion of the Superintendent, provided it is never before 8 P.M. for the Star and Monitor Grades and 7 P.M. for the other grades, after a parade and roll-call of each grade immediately before the hours fixed. Provided also that no inmate shall be allowed to remain at large in the enclosure after dark, but shall be kept in a barrack, reading hall or school room the doors of which shall be locked.

(4) As far as possible the Superintendent or the Deputy Superintendent shall be present when the cubicles are locked up at night and unlocked in the morning, but if both be unavoidably absent, the fact shall be entered in the journal and the locking and unlocking shall be supervised by one of the Assistant Superintendents.

20. (1) Every institution will ordinarily have in addition to classes for general education, special industrial classes and workshops for teaching trades and other means of livelihood. Education and industrial training of inmates.

(2) In the subjects of industrial training, special courses should be prescribed by the Superintendent and the Visiting Committee in consultation with Director and should

be in general accordance with the scheme laid down for Industrial Schools in the Punjab.

(3) No inmate, on first admission, should be compelled to take up a particular industry. He will be given during the first two months, when he shall be generally employed, the choice of any of the industries taught in the institution, compatible with his caste, taste or other circumstances, and if necessary he should be employed for a time on each. If he shows no special inclination or aptitude the Superintendent should decide the industry which he should be taught giving full consideration to his hereditary calling and caste. If an inmate proves unfit for the particular industry to which he is attached, the Superintendent may put him to any other industry, and he may also, if it is to the interest of the inmate, permit him to share in the training of an industrial class other than to which he had been attached.

(4) The standard of general education will be that prescribed for Primary Schools in the Punjab, but it will be in the power of the Superintendent to raise the standard and to increase the subjects taught.

Physical drill and gymnastics. **21.** Physical drill and gymnastics will be taught to all physically fit inmates; First Aid and Scout Craft, though voluntary, will be strongly encouraged.

Incorrigible inmates to be reported to Government. **22.** If the Superintendent is of opinion that an inmate is incorrigible, or is exercising a bad influence on the other inmates of the institution, or has been convicted

under section 19 of the Act, or has committed any of the major offences specified in paragraphs 608 and 609 read with paragraph 630 of the Punjab Jail Manual, he shall report the case, through the Visiting Committee, to the Director for the orders of the Local Government.

23. The articles specified or included in paragraph 606 of the Punjab Jail Manual shall be deemed to be prohibited articles unless any such article has been—

Prohibited
articles.

- (a) introduced into any institution ;
- (b) removed from any institution ;
- (c) supplied to any inmate inside or outside the limits of any institution ; or
- (d) received, possessed or transferred by any inmate,

with the permission of the Superintendent or other officer empowered by him in this behalf or of the Visiting Medical Officer, provided that no article shall be deemed to be a prohibited article if it is an article of clothing necessary for the personal wear of an inmate ; provided also that if the tobacco is lawfully introduced, it shall not be used without the express sanction of the Superintendent or the Visiting Medical Officer or in the presence of any other inmate.

24. Prohibited articles introduced into the institution without due authority should be confiscated and may be destroyed or sold or otherwise disposed of by the Superintendent at his discretion.

Confiscation
and disposal
of prohibited
articles.

**Borstal
Institution
offences.**

25. The offences specified in paragraphs 608 and 609 of the Punjab Jail Manual shall constitute Borstal Institution offences.

**Punishment
Book.**

26. A Punishment Book shall be maintained as laid down in Punjab Jail Manual.

**Punishment
awardable
for Borstal
Institution
offences.**

27. (I) The punishment which may be inflicted on an inmate of a Borstal Institution for the Borstal Institution offences shall be in the following form and in no other :—

- (i) Punishment Drill,
- (ii) Reduction in grade.
- (iii) Deprivation of any of the privileges of the grade,
- (iv) Punishments described in paragraph 612 of the Punjab Jail Manual, except punishment by handcuffs, fetters, and cellular confinement, specified respectively in clauses 6, 7, 10 and 11, provided that nothing in this clause shall be deemed to permit "separate" confinement under clause 8 of that paragraph for more than one month.
- (v) Cuts on the hand by a rattan, provided that the cuts shall be inflicted only in such cases and subject to such limitations and restrictions as apply to punishment by whipping under clause 13 of paragraph 612 of the Punjab Jail Manual.

(2) No punishment shall be awarded to any inmate by any official of the Institution except the Superintendent.

28. When in the opinion of the Superintendent any of the following offences are established against any inmate, he shall refer the case to the Magistrate exercising jurisdiction for enquiry in accordance with the Code of Criminal Procedure, 1898, Case to be referred to Magistrate for enquiry in certain offences.

(1) Offences punishable under sections 147, 148 and 152 of the Indian Penal Code;

(2) Offences punishable under sections 222, 223 and 224 of the Indian Penal Code;

(3) Offences punishable under sections 304-A, 309, 325 and 326 of the Indian Penal Code; and

(4) Any offence triable exclusively by the Court of Sessions.

29. It shall be in the discretion of the Superintendent to determine with respect to any other act which constitutes both a Borstal Institution offence and an offence under the Indian Penal Code, whether he will use his own powers of punishment or move the Magistrate exercising jurisdiction to enquire into it in accordance with the Code of Criminal Procedure, 1898. Superintendent's discretion when an act constitutes a Borstal Institution offence and offence under Indian Penal Code.

30. The punishments awarded to inmates of a Borstal Institution shall be minor or major as described in paragraph 630 of the Punjab Jail Manual, except in so far as they are inconsistent with the Punjab Borstal Act and these rules. Minor and Major Borstal Institution offences and punishments.

A Borstal Institution offence shall be considered a minor or major offence according as it is dealt with by a minor or major punishment.

Composition of the Visiting Committee and appointment of non-official members.

31. (1) The Visiting Committee of a Borstal Institution will ordinarily consist of—

- | | |
|--|--|
| (1) The Deputy Commissioner, | } District in which the Borstal Institution is situated. |
| (2) The Sessions Judge, | |
| (3) The Superintendent of Police, | |
| (4) The Inspector of Schools, | |
| (5) The Reclamation Officer, Punjab. | |
| (6) One nominee of the Municipal committee, within the municipal limits of which the Borstal Institution is situated, appointed by the Local Government. | |
| (7) One nominee of the District Board of the district, within which the Borstal Institution is situated, appointed by the Local Government. | |
| (8) Two non-officials to be appointed by the Local Government. | |
| (9) Superintendent of the Borstal Institute, who also will act as Secretary to the Visiting Committee. | |

NOTE.—If the Superintendent of the Borstal Institution is not a medical man, the Civil Surgeon should be added to the Visiting Committee.

(2) The term of non-official members in clauses 6, 7 and 8 of sub-rule 1 above will be three years, but each member will be eligible for re-nomination and re-appointment on the expiration of his term.

(3) The names of non-official members shall be notified in the *Punjab Government Gazette*, and they will be chosen as far as possible on the ground of definite qualifications and special fitness such as taking active interest in Borstal Institution matters and Prison reform or other social work, or ability, enthusiasm, and willingness to assist in finding work for Borstal lads and other prisoners on discharge and not merely and solely on the ground of social position, wealth and political influence.

32. (1) The Visiting Committee should meet once a month. The Superintendent should send notice of the meeting to all the members at least seven days before the day fixed with a statement of any special matters which under these rules require the consideration of the Committee and are to be laid before them at the meeting for which notice is issued. No special matter of which notice has not been given under this rule should be considered at a meeting except with the sanction of the Chairman and the unanimous consent of all the members present.

Meeting of
the Visiting
Committee
and its
duties.

(2) The Visiting Committee shall see that the requirements of Rule 14 are fulfilled.

(3) They shall—

(a) visit the Institution to see every inmate, to hear complaints

and see that the management of the Institution is proper in all respects ;

(b) examine the Punishment Book and the Log Book or Journal ;

(c) bring any special cases to the notice of the Director ; and

(d) see that no person is illegally detained in the Institution.

Quorum of the meeting and Chairman thereof.

33. Four members will form a quorum and the official member who is senior in rank will preside. If a quorum is secured and no official member is present the members present should elect a Chairman from among themselves.

Reasons of inability to hold monthly meetings to be reported by the Superintendent to the Director.

34. If the Committee is unable to visit an Institution during the time fixed for its meeting, the Superintendent shall make special report, for the information of the Director, of the reasons for such inability.

Superintendent to be present at every meeting and act as Secretary.

35. The Superintendent should be present at every meeting of the Committee and will act as its Secretary, and under the direction of the Chairman he will record minutes of the proceedings of every meeting. The minutes of every meeting should be signed by the Chairman of that meeting and be confirmed by the next following meeting, and immediately after each meeting the Superintendent will forward to the Director a copy of the minutes.

36. It shall be the duty of the Superintendent to give immediate effect to all resolutions passed by the Committee unless, for reasons to be recorded by him, he should consider any resolution to be inexpedient or *ultra vires*, in which case he shall obtain the orders of the local Government through the Director before giving effect to it. He should apply for these orders immediately.

Superintendent to give immediate effect to all resolutions passed by the Committee.

37. (I) A license granted under section 15 of the Act shall be in Form 'A' appended to these rules and shall contain the conditions given below :—

Conditions of grant of licenses and the suspension, revocation and cancellation thereof.

- (i) That the licensee shall proceed forthwith to the place and report himself to the Parole Officer, mentioned in his license ;
- (ii) That he shall remain under the supervision of the said Parole Officer or any other Parole Officer to whose supervision he may be transferred by the Director of Borstal Institutions during the period of the license and that he shall obey all the instructions of the Parole Officer issued to him either verbally or in writing regarding his residence, employment and conduct ;
- (iii) That he shall not proceed beyond the limit of the places within which he may be restricted from time to time

by the Parole Officer, without the permission in writing of the said officer and that he shall proceed to any place indicated by the Parole Officer and by the route prescribed by him ;

- (iv) That he shall report himself at such times and places to such persons as the Parole Officer may from time to time direct ;
- (v) That he shall apply himself with due industry and to the satisfaction of the Parole officer to the work upon which the said officer may permit him to be employed ;
- (vi) That he shall not commit any criminal offence punishable by the law of British India and shall not associate with men of known bad character ;
- (vii) That he shall receive such remuneration for his work as the said Parole Officer may direct.

(2) No inmate will be sent out from an Institution without his consent and no inmate will be licensed unless the conditions of the license are personally explained to him by the Superintendent and are accepted by him. The fact that the conditions are explained to the inmate and were

accepted by him shall be certified on the license by the Superintendent.

(3) If the licensee is found to have committed a wilful breach of the conditions numbered (i) to (vi) in sub-rule (1), the license may be suspended or revoked in accordance with the provisions of section 18 of the Act and the licensee may be directed to return to a Borstal Institution.

(4) On the suspension or revocation of the license, the licensee shall return to the Borstal Institution named in the order of suspension or revocation on or before the date specified for him to report himself in the said order.

(5) If an inmate, to whom a license has been granted, becomes unfit owing to disease or is otherwise incapacitated before leaving an Institution, his license shall be cancelled by the Visiting Committee unless in the opinion of the Committee his unfitness or incapacity is of a temporary nature, in which case the license shall be kept pending with the Superintendent.

38. Unless specially recommended by the Superintendent and the Visiting Committee no inmate will be licensed who has escaped or attempted to escape from the Borstal Institution or from an employer.

No inmate who has escaped should ordinarily be licensed.

39. A register of licenses shall be maintained by the Superintendent and shall be laid before the Committee at least once in every two months.

Superintendent to maintain a Register of licenses.

Appointment
of Parole
Officers.

40. (1) For every inmate discharged on license from an institution there should be appointed a Parole Officer. Such appointment will be made by the Local Government and they will be either paid officials or private individuals interested in philanthropic or social work chosen, if possible, for strength of character, enthusiasm for this kind of work and sound personal influence provided—

(i) that where more than one inmate licensed from an Institution are employed in one locality, one Parole Officer may be appointed for all of them; and

(ii) that the Superintendent, Reformatory Farms, Burewala, shall be *ex-officio* Parole Officer for the inmates licensed for work at the Borstal Reformatory Farm there.

(2) Two months prior to the release on license of an inmate the Superintendent shall request the Local Government through the Director to appoint a suitable Parole Officer as provided in sub-rule (1).

(3) The Local Government will communicate all appointments of Parole Officers made under sub-rule (1) to the Superintendent in sufficient time for the inmates concerned being informed of their respective Parole Officers before their discharge on license from the Institution.

41. The Parole Officer shall play the part of "guide, philosopher and friend" to the licensed inmates placed under his supervision and as such shall perform the duties given below :—

(1) To see that decent and respectable lodging and suitable work and employment are secured for every licensed inmate and that the licensee observes the conditions of his license.

(2) To remain in close touch with every licensed inmate, watch over his conduct, advise him on occasion of difficulty, dissuade him from associating with unsuitable friends and generally direct and influence his conduct for good.

(3) To visit or receive reports from the person with whom the licensee is employed at such reasonable intervals as may be specified in the probation order or subject thereto, as the Parole Officer may think fit.

(4) To report any misbehaviour on the part of a licensee to the Visiting Committee.

42. (1) An After-care Society where in existence or formed hereafter should exercise a close but friendly supervision over the lads on their final release in their respective districts and should render them

Powers,
duties and
control of a
Parole Offi-
cer.

Powers and
duties of
After-care
Societies and
financial as-
sistance to
them.

assistance in one or more of the following ways :—

- (i) To make all arrangements for the released inmate's reception at home or in decent lodgings and to arrange, if possible, for his immediate employment and, if necessary, for his support until he becomes self-supporting.
- (ii) In needy cases to provide the released inmates with working implements, tools and clothes, and pecuniary assistance in case of urgent necessity ;
- (iii) To appoint paid or honorary agents who in addition to their duties as friends and helpers of released inmates shall undertake to see that each released inmate in his circle is regular at his work, that he is living a sober and industrious life, and that he avoids bad associates.

(2) Financial assistance will, so far as possible, be rendered by the Government to such After-care Societies as are recommended by the Director for their conspicuous and meritorious work.

Religious observances of every inmate to be respected.

43. The religious observances of the inmates, in accordance with the particular religion in each case, shall be duly respected and a part of every Sunday shall be devoted,

in accordance with arrangements to be made by the Superintendent or the Visiting Committee, to direct moral instruction.

44. The Director may transfer an inmate from one Borstal Institution to another.

45. Detention in a Borstal institution will not disqualify an inmate for employment under Government.

Transfer of inmates.
Detention in a Borstal Institution no disqualification for Government service.

46. The rules in the Punjab Jail Manual for the purposes enumerated below shall apply to a Borstal Institution except in so far as they are inconsistent with the Act :—

Rules in Punjab Jail Manual applicable for certain purposes.

- (i) Selection and appointment of inmates as inmate officers and their reduction and dismissal and the responsibilities, duties and powers of such officers ;
- (ii) Employment and control of inmates within and without Borstal Institution and disposal of the proceeds of their labour ;
- (iii) Treatment of sick inmates ;
- (iv) Use of arms against any inmate or a body of inmates and the use of fetters in case of an outbreak or attempt to escape ;

- (v) Conditions and circumstances under which inmates in danger of death may be released ;
- (vi) Rewards for good conduct ;
- (vii) Transfer of inmates from a Borstal Institution to an hospital or asylum or from a prison to a Borstal Institution ;
- (viii) Treatment, transfer and disposal of criminal lunatics or recovered criminal lunatics confined in Borstal Institution ;
- (ix) Appointment and guidance of visitors of Borstal Institutions.

NOTE.—In the Rules in the Punjab Jail Manual which have been made applicable to Borstal Institutions under this Rule substitute 'inmate' for 'convict' or 'prisoner.'

FORM A.

License of release under section 15 of the Punjab
Borstal Act, XI of 1926.

In exercise of the powers conferred by section 15 of the Punjab Borstal Act, 1926, the Visiting Committee, with the sanction of the Director of Borstal Institutions, Punjab, conveyed in his ^{letter} endorsement No. _____, dated _____, and subject to the observance of the conditions herein-after set forth, hereby grants license of release to _____, son of _____, caste _____, aged _____, resident of _____, District _____, inmate No. _____, at present detained in the Borstal Institution, _____ in pursuance of order of which a certified ^{copy is} _{copies are} attached.*

The period during which this license shall remain in force shall be calculated in accordance with the provisions of sections 15 and 16 of the aforesaid Act. On the expiry of the period of this license (except when it is suspended or revoked) the inmate shall be released from the observance of all the conditions set forth hereinafter.

CONDITIONS TO BE OBSERVED BY THE LICENSEE.

(1) The licensee shall proceed forthwith to _____ and report himself to _____, Parole Officer.

(2) He shall remain under the supervision of the said Parole Officer or any other Parole Officer to whose supervision he may be transferred by the Director of Borstal Institutions, Punjab, during the period of _____

*The Superintendent of the Borstal Institution shall personally verify the correctness of the certified copy or copies to be attached to the license and note thereon the remission earned by the inmate (if any) up to the date of his release.

the license. He shall obey all the instructions of the Parole Officer issued to him either verbally or in writing regarding his residence, employment and conduct.

(3) He shall not proceed beyond the limits of the places within which he may be restricted from time to time by the Parole Officer, without the permission in writing of the said Officer. He shall proceed to any place indicated by the Parole Officer and by the route prescribed for him.

(4) He shall report himself at such times and places to such persons as the Parole Officer may from time to time direct.

(5) He shall apply himself with due industry to the satisfaction of the Parole Officer to the work upon which the said Officer may permit him to be employed.

(6) He shall not commit any criminal offence punishable by the law of British India; and shall not associate with men of known bad character.

(7) He shall receive such remuneration for his work as the said Parole Officer may direct.

(8) If the licensee is found to have committed a breach of the conditions numbered (1) to (6) above, the license may be suspended or revoked in accordance with the provisions of section 18 of the Punjab Borstal Act and the licensee may be directed to return to a Borstal Institution.

(9) On the suspension or revocation of this license, the licensee shall return to the Borstal Institution named in the order of suspension or revoca-

tion on or before the date specified for him to report himself in the said order.

(Sd.) _____
Secretary,
Visiting Committee,
Borstal Institution _____.

I _____, hereby acknowledge that I understand the conditions specified in the above order of release as the conditions subject to which I am to be released and I accept them.

(Sd.) _____
(Signature or thumb-mark of
the inmate).

Certified that the conditions specified in the above order of release have been read over and explained to the inmate named in the said order, and that he has acknowledged that he understands and accepts the same as the conditions under which he is to be released before the expiry of the term of his detention. I believe that he understands and accepts them.

Dated _____ } (Sd.) _____
Superintendent,
Borstal Institution _____.

FORM B.**Order of suspension of a license under section
18 of the Punjab Borstal Act, XI of 1926.**

In exercise of the powers conferred by section 18 of the Punjab Borstal Act, 1926, _____ Superintendent of the Borstal Institution _____ hereby suspend with effect from _____ to _____ the license under section 15 of the said Act, granted on _____ to _____ son of _____ caste _____, aged _____, resident of _____, district _____, inmate No. _____ of the Borstal Institution _____ and direct that he be readmitted into the Borstal Institution _____, and detained there for the period specified above subject to the provision of section 16 of the said Act. *(The said inmate is directed to report himself to the Superintendent of the Borstal Institution at _____ on or before the _____).

(Sd.) _____,
Superintendent,
Borstal Institution _____.

Certified that the contents of this order have been explained by me personally to inmate _____ described above.

(Sd.) _____,
Parole Officer _____.

The inmate described above reported himself on _____

(Sd.) _____,
Superintendent,
Borstal Institution _____.

*The portion within brackets should be omitted in the case of an inmate who has escaped from the supervision or authority of Parole Officer.

FORM C.

**Order of revocation of a license under section 18
of the Punjab Borstal Act, XI of 1926.**

In exercise of the powers conferred by section 18 of the Punjab Borstal Act, 1926, the Visiting Committee, Borstal Institution, _____, on the recommendation of the Director of Borstal Institutions, Punjab, contained in his ^{letter} _____ endorsement No. _____, dated _____, hereby revokes with effect from _____ the license under section 15 of the said Act granted on _____, to _____, son of _____ caste _____, aged _____ resident of _____, district _____, inmate No. _____, of Borstal Institution, _____ and to direct that he be re-admitted into the Borstal Institution, _____, to serve the rest of his term of detention subject to the provisions of section 16 of the said Act. *(The said inmate is directed to report himself to the Superintendent of the Borstal Institution at _____, on or before the _____.)

(Sd.) _____,

Secretary,

Visiting Committee,

Borstal Institution, _____.

*The portion within the brackets should be omitted in the case of an inmate who has escaped from the supervision or authority of the Director or the Parole Officer.

Certified that the contents of the order have been explained by me personally to inmate_____ described above.

Dated_____.

(Sd.)_____,

*Parole Officer*_____.

The inmate described above reported himself on_____.

(Sd.)_____,

Superintendent,

*Borstal Institution,*_____

FORM D.

Proposed agreement between the Parole Officer and Employer.

1. I do hereby agree to employ _____ inmates who have been released under the Punjab Borstal Act, 1926, as _____.

(a) at _____ per month per working day of approximately 8 hours work, or

(b) at _____ per inmate per month. Inmates employed by the month shall be entitled to the holidays observed in Borstal Institutions, but on other days shall work approximately 8 hours per day, or

(c) at a lump sum of Rupees _____ for performing the work hereinafter set forth.

2. I will continue to employ ^{this inmate}_{these inmates} until _____ or I will give one month's clear notice to the Parole Officer.

3. I will pay the wages of these inmates to the Parole Officer, or wholly or partly to each released inmate himself as the Parole Officer shall require. If part payment only be made to the inmate, I will pay the remainder to the Parole Officer or as he shall direct. During the first month of each released inmate's employment I will pay wages after ten days and thereafter every fifteen days, unless the Parole Officer shall agree to monthly payments.

4. I will provide at my own expense such tools and implements, etc., as may be necessary for the carrying out of this work.

5. I will provide for the lodging of these inmates in quarters, tents or shelters to the satisfaction of the Parole Officer.

6. I will ascertain personally or through my agent that the released inmates are present every day, morning and evening at the hour fixed by the Parole Officer and will note this in the register provided for me by the Director, and if at any time it becomes known to me or to my agent that any of the inmates is or has been absent from the area to which he has been restricted, I will report at once to the Parole Officer.

7. If any of the released inmates in my employ shall fall ill I will see that he is conveyed to the nearest dispensary and will at once inform the Parole Officer.

FORM E.

REGISTER TO BE MAINTAINED BY A PAROLE OFFICER.

1	Serial No.	
2	Number of licensee.	
3	Name, father's name and age of licensee.	
4	Residence (Village Thana and district).	
5	Name of Borstal Institution from where licensed.	
6	Inmate Register No. in the Borstal Institution.	
7	Name of Court ordering detention.	
8	Crime for which detention ordered and term of detention.	
9	Grade or class of inmate when licensed.	
10	Marks of identification.	
11	Date of discharge on license.	
12	DATE OF FINAL RELEASE.	
	(a) Without reckoning remission earnable while on license.	
	(b) After reckoning remission earned while under license.	
13	Place of employment with name of the employer.	
14	Nature of employment with rate of pay per working day or per month.	
15	REMARKS.	

FORM F.

REGISTER TO BE MAINTAINED BY A PAROLE OFFICER.

1	Serial No.	
2	Number of license.	
3	Name, father's name and age of licensee.	
4	Place of employment with name of employer.	
5	Nature of work or employment.	
6	Rate of pay per working day or per month.	
7	Amount of previous earnings or outft allowance, if any.	
8	EARNINGS AND EXPENDITURE OF THE LICENSEE.	Date.
		Amount earned by licensee.
		Amount disbursed to licensee.
		Balance due.
9	Total saving of licensee.	
10	Place of deposit.	
11	REMARKS.	

APPENDIX III.

Order of Conditional Remission.

In exercise of the power conferred by Section 401 of the Code of Criminal Procedure, 1898, and all other powers vested in him in that behalf His Excellency the Governor of the Punjab is pleased to remit, to the extent and subject to the conditions contained in the schedule below, the punishment to which _____ son of _____, caste _____, residence _____, an inmate of the Lahore Borstal Institution No. _____ was sentenced by the Court of the _____ at _____ on the _____ day of _____ 19 _____, under Section _____ of the _____ to _____ years' rigorous imprisonment.

SCHEDULE OF CONDITIONS.

(1) The said inmate shall be allowed to be absent from the premises of the Borstal Institution, Lahore, from 6-30 A. M. to 7-0 P. M. in the summer and from 7-0 A. M. to 6-0 P. M. in the winter for the purpose of working at the workshop or factory of such employer and at such wages as the Superintendent of the said Institution may decide. During such hours of work the inmate will be allowed from 2 to 3 hours according to the season for rest, food and going to and returning from work.

(2) The inmate shall return to the said Institution each evening before 7-0 P.M. in the summer and 6-0 P.M. in the winter for purpose of passing the night on the premises of the Institution under such special arrangements as may be made for him by the said Superintendent.

(3) The inmate shall not leave the premises of such employer during the day time under any pretext

whatever without first obtaining a pass from the said employer, and he shall comply with all the conditions of the pass.

(4) Each day the inmate shall do a full day's work to the satisfaction of the said employer and at such wages as may be agreed upon between such employer and the Superintendent. All such wages earned by him shall be payable to the Superintendent direct who will make such weekly payments to him as may be considered necessary.

(5) The Superintendent, Borstal Institution, will deduct from any wages earned by the inmate during his employment the cost of food and other necessaries supplied to him. Any balance will be credited to his account and will be made over to him at the time of his release.

(6) The inmate shall obey all rules and orders that may be from time to time in force in the place of his employment for the maintenance of discipline and order for the welfare of the inmates.

(7) If the said employer considers that the presence of the said inmate at his place of employment is or is likely to be harmful to the good management of the workshop or factory, he shall at once report the matter to the Superintendent, Borstal Institution, who will arrange for his removal from the said workshop or factory.

(8) If during the period of conditional remission the said inmate is convicted of any offence and sentenced to imprisonment or fine, he shall be deemed to have committed a breach of these conditions.

(9) The inmate may at any time apply to the said employer or the Superintendent to be sent back to the Borstal Institution to complete his sentence, and on such application the Superintendent will arrange to have him returned to the Institution.

(10) The said employer shall at once report any escape or attempt to escape on the part of the said inmate to the Superintendent of the Borstal Institution and to the nearest Police Station.

Dated Lahore : *Home Secretary to Government, Punjab, Home (Jails).*

The _____ 193 . *Department.*

I _____ hereby accept the conditions specified in the above order of conditional remission granted under Section 401, Criminal Procedure Code.

Signature or mark of the inmate.

Certified that the conditions specified in the above order of conditional remission have been read over or explained to the inmate named in the above order and that he has accepted the same under Section 401, Code of Criminal Procedure.

Dated Lahore :

The _____ 193 . *Superintendent, Borstal Institution.*

I _____, son of _____ hereby agree to take over in accordance with the terms of the order of remission of which a copy is attached the said inmate _____, son of _____

for employment in my ^{factory} ~~workshop~~, and I agree to pay over to the Superintendent of the Borstal Institution all wages earned by the said inmate.

Employer of the said inmate.

Certified that the inmate named in the above order of conditional remission has been made over on _____ to the employer named below for employment during the day in his workshop or factory.

Superintendent, Borstal Institution.

Received the inmate named above for employment during the day in my workshop or factory.

Dated : _____

The _____ 193 . *Employer of the said inmate.*

APPENDIX IV.

Extracts from the Borstal Associate's Handbook.¹

Notice issued by the Borstal Association London to every lad who has received a Borstal Sentence :—

THE BORSTAL ASSOCIATION.—When you are again free, this Association will help you to make a fresh start.

We will find lodgings for you if you have no home and will do our best to find work for you, and will provide necessary working clothes and tools.

If there is anything that you want to talk to us about with regard to your future whilst you are still at the Institution, you can ask your Housemaster to arrange for you to see one of us at our monthly visits.

The help given by the Borstal Association on your discharge will depend on your conduct at the Institution. We cannot afford to recommend to employers any lad who is likely to let them down, as by doing so, we should be injuring the prospects of other lads. We hope that you will be one of the great majority of Borstal boys who do well at the institution and make a success of their life on discharge.

¹People interested in the After-care of Borstal lads should write to the Borstal Association, 131, Victoria Street, London, S. W. I., for a copy of this excellent little book, which gives much practical and valuable information.

Letter issued to each lad when he has been selected for discharge :—

The Borstal Association,
131, Victoria Street,
London, S. W. I.

FROM

SIR WEMYSS GRANT-WILSON,
Director of the Borstal Association.

WHEN you read this you will be in sight of your discharge. We shall help you to make a fresh start ; if you are living in London we shall keep in touch with you at this office ; if you are living elsewhere we shall give you an introduction to one of our Associates, who will act for us as your friend and supervisor.

The first thing that you will need is a job, and if you do your best to find one we will help you, and, if we consider it necessary, we will provide you with working clothes and tools when a job has been found. It will be hard to find a good job at first, for there are nearly three millions of men out of work ; you should, therefore, take what you can get and earn a good character ready for the time when a better job can be found.

If you have held a good position in the Institution you may find it hard to begin at the bottom, but if you show energy and self-respect, as you have done at the Institution, you will soon work your way up and find yourself properly valued.

If you have not so far been successful you may yet do well. Life consists largely in making fresh starts. If you fall down, get up again at once and go ahead.

If you want to succeed, you must be punctual at any appointment that may be made and civil to employers and foremen, and must not talk of your past. You should make a friend of your Associate.

Remember that your licence may be revoked by the Prison Commissioners, and that we shall not be able to prevent that or to save you from the consequences, if you :—

1. Leave your work without permission, or lose it through your own fault.
2. Change your address without permission.
3. Mix with anyone who has been in trouble or is looking for trouble.
4. Disobey directions given by us or our Associate.

All these pitfalls can be avoided if you think before you act.

We know that you will meet with difficulties, and we shall understand and sympathise with you and shall always be glad to hear from you and to help you. Tell us when you feel like crashing, and not after you have crashed.

Look forward, not backward ; keep on your toes ; do not overvalue yourself ; treat other people as you would like them to treat you, and you will make a success of life.

Remember that there is an Associate of the Borstal Association in practically every town in England. If, therefore, you find yourself in a strange place (for instance, when you come off a ship), and need help, go at once to the police station and they will either give you the name and address of our local Associate or will telegraph to us. You need never be without our help.

Learn our address by heart. We shall always be glad to hear from you.

(Sd.) WEMYSS GRANT-WILSON.

Letter sent to the parents or relatives of a lad if he is to return home on discharge :—

Your son will come to you on his release on

Our Associate in charge of him will be Mr. who will do all that that he can to help him. He comes out under a license which provides that he must obey any instructions given by our Associate, must not change his address without permission, must not mix with persons of bad character, and must satisfy our Associate that he is leading a sober and industrious life. If he breaks any of these rules, he may be taken by the Prison Commissioners for further training.

We can, therefore, help him only so long as he keeps these rules, and he must satisfy us that he is doing all that he can for himself.

I am sure that you will do your best to help him to observe them and to keep in close touch with our Associate.

I shall be glad to have a letter from you at any time if you wish to consult me about your lad.

